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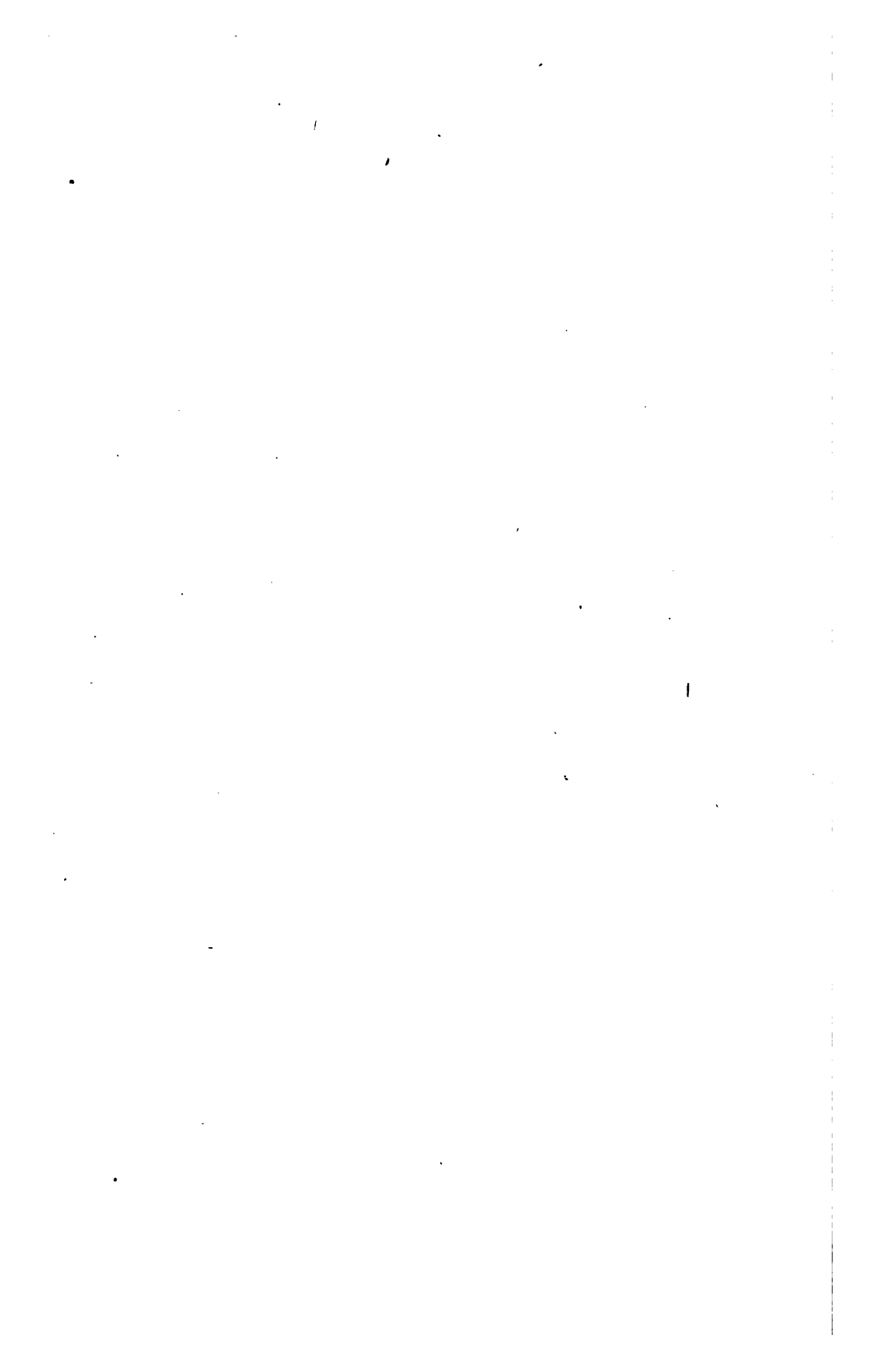
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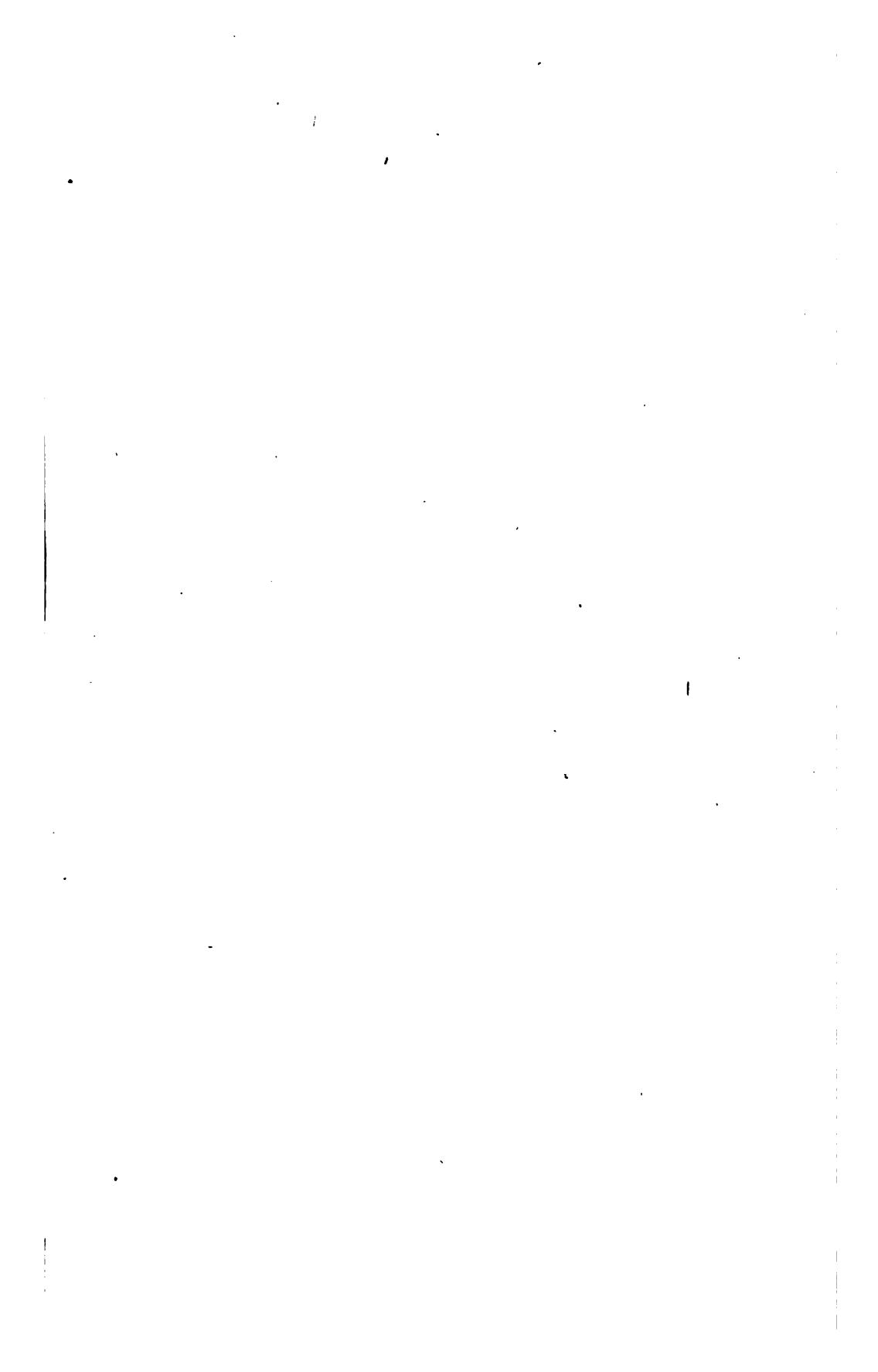


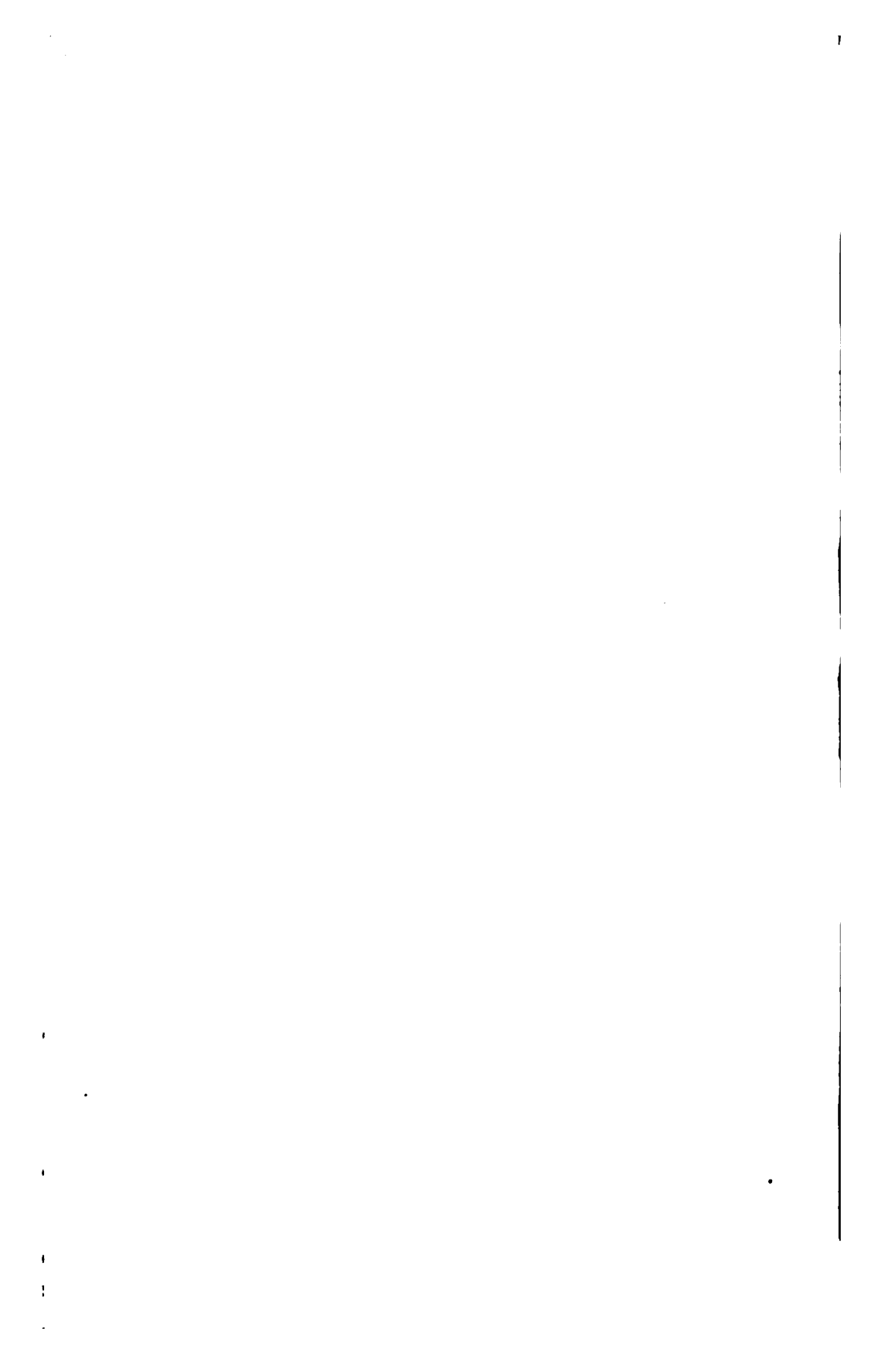
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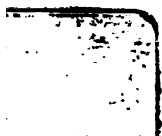












Rhoda  
1914









**State of Rhode Island and Providence Plantations.**

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# **ELECTION LAWS**

OF THE

# **State of Rhode Island**

# **1912.**

**PROVIDENCE, R. I.**

**E. L. FREEMAN COMPANY, STATE PRINTERS.**

**1912.**



*Rhode Island. Statutes.*

# ELECTION LAWS

OF THE

# State of Rhode Island

# 1912.

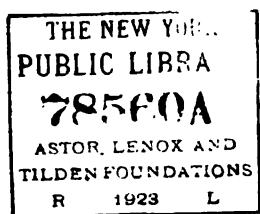
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1912.

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Extracts from the Constitution  
OF THE  
STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS,  
AS AMENDED,  
RELATIVE TO ELECTIONS, ETC.

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ARTICLE II.

*Of the Qualifications of Electors.*

SECTION 1. Every male citizen of the United States, of the age of twenty-one years, who has had his residence and home in this state for one year, and in the town or city in which he may claim a right to vote, six months next preceding the time of voting, and who is really and truly possessed in his own right of real estate in such town or city of the value of one hundred and thirty-four dollars over and above all incumbrances, or which shall rent for seven dollars per annum over and above any rent reserved or the interest of any incumbrances thereon, being an estate in fee-simple, fee-tail, for the life of any person, or an estate in reversion or remainder, which qualifies no other person to vote, the conveyance of which estate, if by deed, shall have been recorded at least ninety days, shall thereafter have a right to vote in the election of all civil officers and on all questions in all legal town or ward meetings so long as he continues so qualified. And if any person hereinbefore described shall

Electors own-  
ing real estate.

own any such estate within this state out of the town or city in which he resides, he shall have a right to vote in the election of all general officers and members of the general assembly in the town or city in which he shall have had his residence and home for the term of six months next preceding the election, upon producing a certificate from the clerk of the town or city in which his estate lies, bearing date within ten days of the time of his voting, setting forth that such person has a sufficient estate therein to qualify him as a voter; and that the deed, if any, has been recorded ninety days.

SEC. 2. [Section 2 annulled by article VII. of the amendments, April, 1888, and the following substituted.]

Qualifications  
of electors gen-  
erally.

*Every male citizen of the United States of the age of twenty-one years, who has had his residence and home in this state for two years, and in the town or city in which he may offer to vote six months next preceding the time of his voting, and whose name shall be registered in the town or city where he resides on or before the last day of June; (see article XI., section eleven of amendments) in the year next preceding the time of his voting, shall have a right to vote in the election of all civil officers and on all questions in all legally organized town or ward meetings: PROVIDED, that no person shall at any time be allowed to vote in the election of the city council of any city, or upon any proposition to impose a tax or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon his property therein, valued at least at one hundred and thirty-four dollars.*

Superseding  
Article VI. of  
Amendments.

Qualifications  
requisite to  
vote for city  
councils and on  
monetary prop-  
ositions.

SEC. 3. [Section 3 annulled by article VII. of the amendments, April, 1888, and the following substituted.]

Poll-tax to be  
assessed an-  
nually on what  
persons for the  
support of pub-  
lic schools.

ARTICLE VII. OF AMENDMENTS, SEC. 2. *The assessors of each town and city shall annually assess upon every person who, if registered, would be qualified to vote, a tax of one dollar, or such sum as with his other taxes shall amount to one dollar, which tax shall be paid into the treasury of such town or city and be*

*applied to the support of public schools therein: PROVIDED, that such tax assessed upon any person who has performed military duty, shall be remitted for the year he shall perform such duty; and said tax assessed upon any mariner for any year while he is at sea, or upon any person who by reason of extreme poverty is unable to pay said tax, shall, upon application of such mariner or person, be remitted. The general assembly shall have power to provide by law for the collection and remission of said tax.*

To be remitted, when.

Collection and remission to be as provided by law.

SEC. 4. No person in the military, naval, marine, or any other service of the United States shall be considered as having the required residence by reason of being employed in any garrison, barrack, or military or naval station in this state: and no pauper, lunatic, person non compos mentis, person under guardianship, or member of the Narragansett tribe of Indians, shall be permitted to be registered or to vote. Nor shall any person convicted of bribery, or of any crime deemed infamous at common law, be permitted to exercise that privilege, until he be expressly restored thereto by act of the general assembly.

Who shall not gain residence, or be permitted to vote.

SEC. 5. Persons residing on lands ceded by this state to the United States shall not be entitled to exercise the privilege of electors.

Residents upon land ceded to United States not electors.

SEC. 6. The general assembly shall have full power to provide for a registry of voters, to prescribe the manner of conducting the elections, the form of certificates, the nature of the evidence to be required in case of a dispute as to the right of any person to vote, and generally to enact all laws necessary to carry this article into effect, and to prevent abuse, corruption and fraud in voting.

Powers of assembly as to elections.

ARTICLE IV. OF AMENDMENTS. *Electors of this state who, in time of war, are absent from the state in the actual military service of the United States, being otherwise qualified shall have a right to vote in all elections in the state for electors of president and vice-president of the United States, representatives in congress, and general officers of the state. The general assembly shall have*

Electors absent from the state in the military service of the United States, allowed to vote.

*full power to provide by law for carrying this article into effect; and until such provision shall be made by law, every such absent elector, on the day of such elections, may deliver a written or printed ballot, with the names of the persons voted for thereon, and his christian and surname, and his voting residence in the state, written at length on the back thereof, to the officer commanding the regiment or company to which he belongs; and all such ballots, certified by such commanding officer to have been given by the elector whose name is written thereon, and returned by such commanding officer to the secretary of state within the time prescribed by law for counting the votes in such elections, shall be received and counted with the same effect as if given by such elector in open town, ward, or district meeting; and the clerk of each town or city, until otherwise provided by law, shall within five days after any such election, transmit to the secretary of state a certified list of the names of all such electors on their respective voting-lists.*

## ARTICLE V.

### *Of the House of Representatives.*

SECTION 1. [Section 1 annulled by article XIII. of the amendments, November, 1909, and the following substituted.]

House of representatives in how constituted.

*The house of representatives shall never exceed one hundred members, and shall be constituted on the basis of population, always allowing one representative for a fraction exceeding half the ratio; but each town and city shall always be entitled to at least one member; and no town or city shall have more than one-fourth of the whole number of members. The general assembly may, after any new census taken by the authority of the United States or this state, re-apportion the representation in conformity with the foregoing provisions. As soon as this amendment goes into effect, the general assembly shall divide each town and city into as many districts as it is entitled to representatives, and after each census, or as occasion may require, the general assembly*

Ratio of representation.



*may so divide each town and city, and one representative shall be elected from each district by the qualified electors thereof. Such district shall be as nearly equal in population and as compact in territory as possible.*

SEC. 2. The house of representatives shall have authority to elect its speaker, clerks and other officers. The senior member from the town of Newport, if any be present, shall preside in the organization of the house.

May elect its officers. Precedence of Newport members at organization.

## ARTICLE VI.

### *Of the Senate.*

SECTION 1. The senate shall consist of the lieutenant-governor and of one senator from each town or city in the state.

Senate is how constituted.

[Sections 2 and 3 annulled by article XIV. of the amendments, November, 1909, and the following substituted.]

ARTICLE XIV. OF AMENDMENTS, SECTION 1. *The lieutenant-governor shall preside in the senate and in grand committee. The presiding officer of the senate and grand committee shall have a right to vote in case of equal division, but not otherwise.*

Presiding officer, and his right to vote.

SEC. 2. *If, by reason of death, resignation, absence, or other cause, the lieutenant-governor is not present, to preside in the senate, the senate shall elect one of their own members to preside during such absence or vacancy; and until such election is made by the senate, the secretary of state shall preside. The presiding officer of the senate shall preside in grand committee and in joint assembly.*

May elect a presiding officer, when.

SEC. 4. The secretary of state shall, by virtue of his office, be secretary of the senate, unless otherwise provided by law, and the senate may elect such other officers as they may deem necessary.

## ARTICLE VIII.

*Of Elections.*

[Sections 1 to 9 annulled by article XI. of the amendments, November, 1900; sections three to eleven of said article XI. are as follows.]

[Section 2 of article XI. of amendments annulled by article XVI. of amendments, November, 1911, and the following substituted:]

Election of  
general officers  
and members  
of assembly.

ARTICLE XVI OF AMENDMENTS, SECTION 1. *The governor, lieutenant-governor, secretary of state, attorney-general, general treasurer, and senators and \*representatives in the general assembly shall be elected at town, ward, and district meetings on the Tuesday next after the first Monday in November biennially, commencing A. D. 1912, and shall severally hold their offices for two years from the first Tuesday of January next succeeding their election, and until their successors are elected and qualified.*

Incapacity or  
failure of elec-  
tion.

SEC. 3. *When the governor-elect shall die, remove from the state, refuse to serve, become insane, or be otherwise incapacitated, the lieutenant-governor-elect shall be qualified as governor at the beginning of the term for which he was elected. When both the governor and lieutenant-governor-elect, or either the lieutenant-governor, secretary of state, attorney-general, or general treasurer-elect are so incapacitated, or when there has been a failure to elect any one or more of the officers mentioned in this section, the general assembly shall upon its organization meet in grand committee and elect some person or persons to fill the office or offices, as the case may be, for which such incapacity exists, or as to which such failure to elect occurred. When the general assembly shall elect any of said officers because of the failure of any person to receive a plurality of the votes cast, the election in each case shall be made from the persons who received the same and largest number of votes.*

\*See Article XIII of Amendments adopted Nov., 1909, and Chapter 9 of the General Laws as amended by Sec. 3 of Chapter 640, Public Laws.

SEC. 4. *If the offices of governor and lieutenant-governor be both vacant, by reason of death or otherwise, they shall be filled by the general assembly in grand committee, and the acting governor shall, if the general assembly is not then in session, call a special session thereof for that purpose within twenty days after both of said offices become vacant if a stated session is not sooner to occur.*

Vacancies in office of governor and lieutenant-governor, how filled.

SEC. 5. *In case of a vacancy in the office of secretary of state, attorney-general, or general treasurer from any cause, the general assembly in grand committee shall elect some person to fill the same: PROVIDED, that if such vacancy occurs when the general assembly is not in session the governor shall appoint some person to fill such vacancy until a successor elected by the general assembly is qualified to act.*

Vacancies in general offices, how filled.

SEC. 6. *When a senator or representative elect shall die, remove from the state, refuse to serve, become insane, or be otherwise incapacitated, or when at an election for any senator or representative no person shall receive a plurality of the votes cast, a new election shall be held. A vacancy in the senate or house of representatives shall be filled at a new election. The general assembly shall provide by general law for the holding of such elections at such times as to insure that each town and city shall be fully represented in the general assembly during the whole of every session thereof so far as is practicable. Every person elected in accordance with this section shall hold his office for the remainder of the term or for the full term, as the case may be, of the office which he is elected to fill, and until his successor is elected and qualified.*

Vacancies in general assembly or incapacity, how filled.

SEC. 7. *In elections by the general assembly in grand committee the person receiving a majority of the votes shall be elected. Every person elected by the general assembly to fill a vacancy, or pursuant to section 3 of this article, shall hold his office for the remainder of the term or for the full term, as the case may be, and until his successor is elected and qualified.*

Elections in grand committee by majority vote.

Quorum of  
grand com-  
mittee.

SEC. 8. A quorum of the grand committee shall consist of a majority of all the members of the senate and a majority of all the members of the house of representatives duly assembled pursuant to an invitation from one of said bodies which has been accepted by the other, and the acceptance of which has been communicated by message to the body in which such invitation originated, and each house shall be attended by its secretaries and clerks. No act or business of any kind shall be done in grand committee other than that which is distinctly specified in the invitation by virtue of which such grand committee is assembled, except to take a recess or to dissolve: PROVIDED, that the grand committee may appoint a sub-committee of its own members to count any ballots delivered to it and report the result of such count.

Present officers  
to hold office,  
until when.

SEC. 9. The governor, lieutenant-governor, secretary of state, attorney-general, general treasurer, and senators and representatives in the general assembly in office when this amendment goes into effect shall continue to hold their offices, with the powers and duties and subject to the limitations prescribed therein for like officers, until the first Tuesday in January, A. D. 1902, and until their successors are elected and qualified. Vacancies in their number from any cause shall be filled in the manner which is prescribed by law at the time of their occurrence. All officers who by the provisions of this amendment are continued in office beyond the stated time for which they were elected or appointed shall receive a pro rata compensation for their increased term of service based upon the compensation provided for in this amendment or by law.

Election under  
amendment.

SEC. 10. The first election of officers named in the next preceding section under this amendment shall be held upon the Tuesday next after the first Monday in November, A. D. 1901. The town, ward, and district meetings therefor shall be warned and conducted, and the result thereof determined, authenticated, and declared in the manner at that time prescribed by law, and the persons then elected shall hold their offices from the said first Tuesday in Jan-

uary, A. D. 1902, and thereafter until their successors are elected and qualified.

SEC. 11. *The general assembly shall provide by law for the registration necessary to qualify persons to vote at said first election, which registration shall close on the last day of June, A. D. 1901, and after the adoption of this amendment no person of whom registration is or may be required by law shall be permitted to vote unless his name shall have been registered in the town or city where he resides on or before the last day of June next preceding the time of his voting. For all elections by the people held before said Tuesday next after the first Monday in November, A. D. 1901, the qualifications of the electors shall be such as were required by the constitution and laws existing at the time of the adoption of this amendment.*

SEC. 10. [Section 10 annulled by article X. of the amendments, November, 1893, and the following substituted.]

*In all elections held by the people for state, city, town, ward, or district officers, the person or candidate receiving the largest number of votes cast shall be declared elected.*

Plurality to elect in elections by the people.

# GENERAL LAWS AS AMENDED.

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## TITLE II.

### OF ELECTIONS.

- CHAPTER 6. Of the rights and qualifications of voters.
- CHAPTER 7. Of the boards of canvassers and registration and of the registering, listing, and returning lists of voters and of proof of their qualification to vote.
- CHAPTER 8. Of canvassing the rights and correcting the lists of voters.
- CHAPTER 9. Of elective meetings.
- CHAPTER 10. Of the manner of conducting elections.
- CHAPTER 11. Of elections by secret ballot.
- CHAPTER 12. Of the holding of caucuses in the cities of Providence, Newport, and Pawtucket.
- CHAPTER 13. Of the use of voting-machines at State, city, and town elections.
- CHAPTER 14. Of the election of general officers.
- CHAPTER 15. Of the election of senators and representatives in the general assembly.
- CHAPTER 16. Of the election of representatives in the congress of the United States.
- CHAPTER 17. Of the election of electors of president and vice-president of the United States.
- CHAPTER 18. Of voting upon propositions of amendment of the constitution, and upon questions submitted to the electors of the state.
- CHAPTER 19. Of the state returning-board and defining its duties.
- CHAPTER 20. General provisions concerning elections.

## CHAPTER 6.

Gen. Laws,  
1896, Chap. 6.

## OF THE RIGHTS AND QUALIFICATIONS OF VOTERS.

## SECTION

1. Classification of voters as registered and unregistered and their rights to vote.
2. Right to vote on real estate, situated in town other than that in which voter resides.

## SECTION

3. Citizens of this state may obtain a judgment declaring their citizenship, residence, and domicile.

SECTION 1. The two following classes of person have by the constitution, the first as registered and the second as unregistered voters, a right to vote in the election of all civil officers and on all questions in all legally organized town, ward, or district meetings:—

Classification of  
voters as regis-  
tered and un-  
registered.

*First*, Every male citizen of the United States of the age of twenty-one years who has had his residence and home in this state for two years and in the town or city in which he may offer to vote six months next preceding the time of his voting, and whose name shall be registered in the town or city where he resides on or before the last day of June next preceding the time of his voting: *Provided*, that no person shall at any time be allowed to vote in the election of the city council of any city, or upon any proposition to impose a tax or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon his property therein valued at least at one hundred and thirty-four dollars.

Registered  
voters, includ-  
ing personal  
property  
voters.  
Pub. Laws, 808,  
Jan. 23, 1901.

*Second*, Every male citizen of the United States of the age of twenty-one years who has had his residence and home in this state for one year and in the town or city in which he may claim a right to vote six months next preceding the time of voting, and who is really and truly possessed in his own right of real estate in such town or city of the value of one hundred and thirty-four dollars over and above all incumbrances, or which

Cons. R. I., Art.  
VII., of amend-  
ments, Sec. 1,  
16 R. I. 754,Real estate  
voters.  
Cons. R. I.,  
Art. II., sec. 1,  
16 R. I. 542,  
12 R. I. 586.

shall rent for seven dollars per annum over and above any rent reserved or the interest of any incumbrances thereon, being an estate in fee-simple, fee-tail, for the life of any person, or an estate in reversion or remainder, which qualifies no other person to vote, the conveyance of which estate, if by deed, shall have been recorded at least ninety days.

Persons entitled to vote in a town for general officers, etc., upon real estate in another town.  
Cons. R. I., Art. II., Sec. 1.

SEC. 2. The following class of persons have, by the constitution, as unregistered voters, a right to vote in the election of all general officers and members of the general assembly, in the town or city in which they shall have had their residence and home for the term of six months next preceding the election:—

Every male citizen of the United States, of the age of twenty-one years who has had his residence and home in this state for one year, and shall own any such real estate within this state, but out of the town or city in which he resides, as is described in the second clause of the first section of this chapter, and who shall produce a certificate from the clerk of the town or city in which his estate lies, bearing date within ten days of the time of his voting, setting forth that such person has a sufficient estate therein to qualify him as a voter, and that the deed, if any, has been recorded ninety days.

Citizens of this state may obtain a judgment declaring their citizenship, residence and domicile.  
Pub. Laws, 1459, April 23, 1907.  
C. P. A., § 1208.

SEC. 3. The superior court shall hear and determine petitions of persons alleging themselves to be citizens, residents, and domiciled inhabitants of this state, and praying a judicial declaration of such citizenship, residence, and domicile.

Such petitions shall in all cases set forth the grounds upon which the application is based, and shall be supported by such evidence as the court shall deem necessary. They shall be filed, heard and determined in the county in which the petitioner claims residence, unless such residence be in the county of Bristol, in which case the said petition shall be filed, heard and determined in said court in Providence.



A copy of the petition, with notice of the time and place of hearing, shall be served on the attorney-general five days previous thereto, and he may appear and be heard thereon.

## CHAPTER 7.

(As amended by Section 1, Chapter 640, Public Laws.)

### OF BOARDS OF CANVASSERS AND REGISTRATION AND OF THE REGISTERING, LISTING, AND RETURNING LISTS OF VOTERS AND OF PROOF OF THEIR QUALIFICATION TO VOTE.

SECTION 1. The secretary of state shall prepare and furnish to the town clerks of the several towns and the several boards of canvassers and registration a book, to be entitled the **REGISTRY BOOK**, which book shall be ruled under suitable headings to indicate the time when and the place where any person, native-born, desiring to be registered, was born; if the person was born or has resided without the state, when he last came to reside within the state; and if he was born or has resided without the town, when he last came to reside within the town; and the place in the town at which the person resided at the time of registering. Said registry book shall also be ruled under suitable headings to indicate the time when and the place where any person of foreign birth or parentage, desiring to be registered, was born; when and where he landed in the United States; the date when he last came to this state; the date when he last came to the town; where and when and by what court naturalized; when, where, and by what court, was father naturalized; and the place, street and number in the town at which the person resided at the time of registering.

Secretary of  
state to pro-  
vide cities and  
towns with  
books for reg-  
istration of  
voters.

### BOARDS OF CANVASSERS AND REGISTRATION.

SEC. 2. There shall be a board of canvassers and registration in each of the cities of Providence and Pawtucket, consisting of three members, each of whom hereafter elected shall hold

Boards of canvassers and registration, Providence and Pawtucket, how elected.

office for the term of three years from the first Monday of March succeeding the date of his election and until his successor is elected and qualified. One member of each of said boards shall be elected in joint convention by the city council of the respective cities at the time of the election of city officers in each year. In case any person elected as a member of said board shall decline to serve or neglect to qualify, or a vacancy shall occur in said board for any cause, said office or vacancy shall be filled by the city council in like manner for the term of said office or unexpired term.

Officers of such boards, and quorum.

SEC. 3. Said boards shall each elect one member as presiding officer, and another member as clerk thereof: *Provided*, that in the city of Pawtucket said clerk shall be designated at the time of his election by the city council in joint convention. Said officers shall perform all the duties of presiding officers and clerks of boards of canvassers, respectively. One member of each of said boards shall be a quorum for the purpose of receiving registration, and two members shall be a quorum for all purposes.

Officers of such boards, when to be open for registration.

SEC. 4. The boards of canvassers and registration of the cities of Providence and Pawtucket shall have an office in their respective cities which shall be open for the purposes of registration at the times required by law, and in the city of Providence on all other secular days when the board is not elsewhere engaged in the performance of its duties.

Salary of members of Providence board, and clerical assistance.

SEC. 5. The members of the board of canvassers and registration of the city of Providence shall each receive from said city a salary of twenty-five hundred dollars per annum, payable monthly, and such further sum as the city council of said city may, from time to time, determine, in full compensation for all duties imposed by law upon said board. Said board may employ such clerical assistance as it may deem necessary in the discharge of its duties, and agree with such clerks for their compensation, which said salary and compensation shall be paid

out of the city treasury: *Provided, however,* that said board shall not authorize the payment of compensation to any of its clerks in excess of the sum of one thousand dollars per annum, unless such compensation shall have been approved by the city council of said city; *and provided, further,* that the aggregate amount agreed to be paid for such compensation shall not exceed the sum of three thousand dollars in any one year, unless a greater sum shall be appropriated therefor by said city council.

SEC. 6. The members of the board of canvassers and registration of the city of Pawtucket shall receive such compensation as the city council shall determine. Said board may hire necessary clerical assistance and fix the compensation thereof, subject to the approval of the city council.

Compensation  
of members of  
Pawtucket  
board.

SEC. 7. The boards of canvassers and registration in the cities of Providence and Pawtucket shall not retain to their own use any of the fees now allowed by law to recording and certifying officers, but shall charge and collect the statutory fees for any record, certificate, or copy required by law to be made by said board, and shall pay over the same on the first business day of every month to the city treasurer of the respective city: *Provided,* that said boards shall furnish, as now required by law, certified copies of any list of qualified electors in any representative-district, ward, or voting-district in said city on payment of the sum of one dollar for each such certified list, which sums shall also be paid into the city treasury of said cities as above provided.

Members of  
such boards  
not to retain  
certain fees for  
their own use.

SEC. 8. Said boards of canvassers and registration shall have charge of and receive the registration of persons entitled by law to vote in their respective cities upon being registered, and shall prepare the voting-lists of all persons qualified to vote in the several representative-districts, wards, and voting-districts in said cities, respectively, and shall correct, add to, classify, canvass, post, publish and deliver the same, and perform all the other duties required by law of city, representative-district and

Such boards to  
have charge of  
registration of  
voters, and pre-  
pare, correct,  
and canvass  
voting-lists.

voting-district clerks in relation to the registration and canvassing of voters and to all other matters relating thereto.

Such boards to make certain returns.

SEC. 9. All returns or other things required by law to be made or furnished to or by city clerks, boards of canvassers, and district clerks, relative to the matters within the purview of chapters seven and eight, shall be made and furnished to and by said boards.

General powers of members of such boards, and liability to penalties.

SEC. 10. Said boards shall have all the powers, duties and obligations, and the members thereof in their several capacities shall be individually liable to the same fines, penalties and forfeitures, provided by law, as city clerks, ward clerks, boards of canvassers, and clerks of boards of canvassers, relative to the matters within the purview of chapters seven and eight.

#### BOARDS OF CANVASSERS.

Who may act as boards of canvassers in the several cities and towns.

SEC. 11. The boards of canvassers and registration of cities and towns in which such boards are or shall be established, the city council of the city of Cranston, the boards of aldermen of all other cities, and the town councils of all other towns, shall be boards of canvassers of voters in their respective cities and towns and of the voters in the representative-districts, wards, and voting-districts in such cities and towns.

Town clerks to act as clerks of canvassers, except in Providence and Pawtucket.

SEC. 12. The town clerks in cities and towns in which boards of canvassers and registration are not established shall act as clerks of boards of canvassers in their respective towns, and shall produce to said boards, in their respective towns, such returns, documents, and records as may be required by them for the performance of their duties.

Boards of canvassers may administer oaths, compel attendance of witnesses, secure certain evidence, and punish for contempt.

SEC. 13. The members of the boards of canvassers are hereby severally authorized to administer oaths, and said boards, in all cases of every nature pending before them, are hereby authorized and empowered to summon witnesses by subpoena signed by the clerk thereof, and to compel such witnesses to attend and testify in the same manner as witnesses are compelled

to appear and testify in any court; and said boards are authorized to compel the production of all papers, books, documents, records, certificates, or other legal evidence that may be necessary or proper for the determination and decision of any question or the discharge of any duty required by law of said boards, by issuing a subpoena duces tecum, signed by their clerk; and every person disobeying any such writ shall be adjudged as in contempt, and said boards may punish any contempt of their authority in like manner as contempt may be punished by any court, and said boards may, at any meeting holden for the purpose of canvassing the voting-lists, examine under oath the person whose right to vote is disputed or any other person, and may receive any other evidence that such boards may deem necessary, respecting the right of any person to have his name upon the registry, or to vote, and shall decide upon the same. Every person refusing to answer upon such examination shall be fined not less than twenty-five dollars, nor more than three hundred dollars, for such refusal. No evidence elicited in such examination shall be used against the person so examined in any criminal prosecution against him, except a prosecution for perjury in such examination. Any person who shall wilfully swear falsely in any proceeding, matter, or hearing before said boards or any of them shall be deemed guilty of the crime of perjury.

Penalties.

SEC. 14. Every officer required to perform any duty under the provisions of chapters seven and eight, who shall refuse or wilfully neglect to perform such duty, shall be fined not exceeding five hundred dollars or be imprisoned not exceeding six months, unless a punishment for such offense is therein otherwise provided.

Penalties for neglect of duty.

#### REGISTRATION OF VOTERS.

SEC. 15. Every person, who is or within a year may be qualified to vote, upon being registered in any town or city, other

Certain voters to register before last day of June, annually.

Penalty for false registration.

Foreign-born voters, to file certificate of naturalisation.

Property tax-payers who have registered once, not required to register annually.

Penalty for fraudulent additions to or striking from voting-list.

than the cities of Providence and Pawtucket, shall go to the town clerk of the town in which he resides, and in the said cities of Providence and Pawtucket shall go to the board of canvassers and registration in the city in which he resides, and shall, annually within the year ending on the last day of June register his name and thereby certify to the truth of the facts stated in the appropriate heads in such registry. Every person who shall knowingly make any false certificate in registering his name in any such registry book shall be fined not exceeding fifty dollars or be imprisoned not exceeding sixty days: *Provided*, that before any person's name shall be placed upon the voting-list, if such person shall be of foreign birth, he shall file proof, at least five days before any meeting of the board of canvassers with the town clerk or with the clerk of the board of canvassers and registration, as the case may be, that he is a citizen of the United States, and such proof shall be subject to the approval of the board of canvassers of the town or city wherein such person shall claim the right to vote.

SEC. 16. The several town clerks and boards of canvassers and registration shall annually place upon the voting-list the names of the several persons who have previously been upon the voting-list, according to the provisions of this chapter, against whom a property-tax to the amount of one dollar or upwards shall have been assessed; and such persons need not register their names annually as is required of persons not paying a property-tax.

SEC. 17. If the name of any person who shall not be entitled to vote as aforesaid shall be wilfully or fraudulently added to the voting-list, or if the name of any person who should be retained thereon, shall be wilfully or fraudulently stricken from the list, every member of the board of canvassers wilfully or fraudulently concurring therein shall be fined not less than one hundred dollars and not more than five hundred dollars.

SEC. 18. In the city of Providence and in the city of Pawtucket, the assessors of taxes shall annually, on or before the fifteenth day of September, certify and deliver to the board of canvassers and registration of their respective cities a copy of the tax-assessment of such city, which copy shall in addition specify the residence by street and number of each person resident in said city by them assessed, or the street location of the land assessed, in case the residence of the owner cannot be ascertained.

Assessors of Providence and Pawtucket to deliver to board of canvassers, annually, copy of tax-assessment.

SEC. 19. Every clerk making any false entry or certificate of any fact required to be entered or certified under the provisions of this chapter, shall be fined not exceeding five hundred dollars or imprisoned not exceeding six months.

Penalty for false entry by clerk.

SEC. 20. The proof of the registry of a person in a town other than that in which he shall offer to vote shall be the certificate of the town clerk of the town or the clerk of the board of canvassers and registration of the city in which he is registered.

Proof required when a voter desires to vote in a town other than the town in which he registered.

SEC. 21. The proof of the payment of taxes upon real estate or personal property shall be the certificate of the collector of taxes or of the town treasurer; and the receipt or returns of the collector of taxes shall be sufficient evidence for the purpose of procuring the certificate of the town treasurer. In case of a highway tax, when by law the same may be paid, whether in money or labor, to a surveyor of highways, the receipt of such surveyor shall be sufficient evidence of such payment for the purpose of procuring the certificate of the collector of taxes or of the town treasurer.

Proof of payment of tax, a certificate of tax collector or town treasurer.

SEC. 22. No person who claims the right to vote upon the payment of a tax or taxes assessed against him upon property, for aldermen or common councilmen of any city within this state, or upon any proposition to impose a tax or for the expenditure of money in any town or city, shall by the boards of canvassers be admitted to vote for said officers or upon said propositions, unless upon the production of a certificate from the

Proof of tax-payment required before person may vote for city council or on monetary proposition.

collector of taxes, town treasurer, or clerk of the town or city in which he resides, that before the sixth day preceding the day of such voting he has paid such tax assessed against him therein for and within such year.

Penalty for refusal to furnish certificate of tax-payment.

SEC. 23. Every town clerk, collector of taxes, or other officer authorized to receive the taxes or give the certificates, as hereinbefore provided, who shall wilfully refuse to grant the certificate therein prescribed to any person demanding the same and legally entitled thereto, or shall wilfully and fraudulently grant such certificate to any person not legally entitled thereto, shall be fined one hundred dollars for each and every offence; and in all cases, the return of said collector, town treasurer, or town clerk shall be deemed evidence of the payment of the said tax or taxes.

Except in Providence and Pawtucket, town clerks to attend to registration.

SEC. 24. The several town clerks shall be in their respective offices, except in the cities of Providence and Pawtucket, for the purpose of attending to the registration of voters, for the three secular days next preceding and including the last secular day of June in each year, and there to remain from nine o'clock in the forenoon until one o'clock in the afternoon, and from two o'clock to nine o'clock in the afternoon; and shall attend to such registration at such other times as persons may apply to be registered.

Who to furnish certified lists of voters.

SEC. 25. Every town or district clerk or clerk of a board of canvassers and registration, upon payment or tender of his legal fees, which shall be the same for each, shall furnish to any one demanding the same, a certified copy of any list of voters whose votes have been given in at any election.

Who to furnish certified copy of registration of voters and other records.

SEC. 26. Every town clerk and every clerk of a board of canvassers and registration shall, upon like payment or tender, furnish to any person demanding the same, a certified copy of any registration of voters, and every town clerk shall also, upon request of any person and tender of legal fees, and without any unreasonable delay, examine the records and certify to the



estate of any person, and shall furnish copies of any instrument or writing which may be on record or in the files of his office.

SEC. 27. Every officer authorized to receive taxes shall, upon like request and payment or tender, and without unreasonable delay, furnish to any elector a certified list of those who have paid to him state and town taxes, and the amounts and times of such payments; and shall grant certificates setting forth whether a certain person has or has not paid to him such taxes, and, if paid, to what amount and at what time; and every such officer who shall refuse to furnish or unreasonably delay in furnishing such lists or certificates, upon payment or tender as aforesaid, shall, for every such offence, be fined not less than twenty-five dollars nor more than two hundred dollars.

Who to furnish lists of persons who have paid taxes, and to give certificate of tax payments.

Penalty for refusal to so furnish.

SEC. 28. Every officer authorized to receive taxes, shall present to the board of canvassers, at every meeting for the purpose of canvassing, alphabetical lists of all persons registered on or before the last day of June next preceding in their respective towns and cities, who shall have paid such officer their taxes, specifying the amount paid by each and the time when such payment was made, and that the tax was assessed upon property which has not been before presented; except that in the cities of Providence and Pawtucket such officer shall present such lists to the board of canvassers and registration at such dates as shall be required in writing by said board, which lists shall contain the residence of each person thereon by street and number.

Tax receivers to present to boards of canvassers lists of registered persons who have paid taxes.

SEC. 29. Every officer authorized to receive taxes, neglecting or refusing to make such return to the board of canvassers or to the board of canvassers and registration as aforesaid, shall, for every such offence, be fined not less than one hundred dollars nor more than one thousand dollars.

Penalty for neglect or refusal to supply lists of such taxpayers.

## CHAPTER 8.

(AS AMENDED BY SECTION 2, CHAPTER 640, PUBLIC LAWS.)  
OF CANVASSING THE RIGHTS AND CORRECTING THE LISTS OF  
VOTERS.

Annual meet-  
ing of board of  
canvassers to  
make up vot-  
ing-lists.

SECTION 1. The boards of canvassers of the several towns and cities shall hold a meeting on the Tuesday next after the first Monday in September in every year, and shall make out correct alphabetical lists:—

Separate lists  
of real estate  
and registry  
voters re-  
quired.

*First*, Of all persons qualified, or who may become qualified, to vote generally, to wit: Of all persons entitled to vote under article second, section first, of the constitution, and also of all persons who are or may be entitled by registry to vote in their respective towns; distinguishing the persons registered who are not entitled to vote under article second, section first, of the constitution;

Separate lists  
of real estate  
and personal  
property  
voters required,  
distinguishing  
those who have  
paid their  
taxes from  
those who have  
not.

*Second*, Separately from such lists, correct alphabetical lists of all persons entitled, or who may become entitled, to vote upon any proposition to impose a tax or to expend money in their respective towns, to wit: Of all persons entitled to vote under article second, section first, of the constitution, and of every person entitled, or who may become entitled, to vote by the payment of a tax assessed within the year preceding, upon his property in such town valued at least at one hundred and thirty four dollars, or on whose property, valued as aforesaid, a tax has been assessed and not paid; distinguishing in the said list, as hereinbefore provided, those who are not entitled to vote under article second, section first, of the constitution, and also those, so distinguished, who have not paid the taxes assessed as aforesaid.

SEC. 2. Said boards of canvassers shall also, at said annual meeting on the Tuesday next after the first Monday in September, canvass and make up separate voting-lists for their respect-

ive cities, towns, wards, representative-districts, and voting-districts, which said lists shall contain the alphabetical lists provided for in section one of this chapter and also the residence of each person thereon by street and number, so far as the same can be ascertained and described from the registry book mentioned in section one of chapter seven, and from such other evidence as the several boards of canvassers may require in the case of any name on said lists. Said lists shall be, by the town and city clerks, printed and posted up in at least three public places in such towns as are not divided into representative-districts or into voting-districts; and in towns and cities divided into representative-districts and not into voting-districts, in at least three public places in each representative-district or ward; and in towns and representative-districts divided into voting-districts, in at least three public places in each voting-district; and in the office of the town and city clerk, at least twenty days before the Tuesday next after the first Monday in November; except that in the cities of Providence and Pawtucket, the lists provided to be printed and posted up by the city clerk shall be printed and posted up in the several voting-districts by the boards of canvassers and registration in each of said cities, and in the office of the board of canvassers and registration in each of said cities. Said lists shall be open to the examination of any qualified elector at all reasonable times.

Voting-lists to be provided for each ward, representative-district and voting-district, and posted in public places.

How to be posted in Providence and Pawtucket.

SEC. 3. Said boards of canvassers may meet and canvass the voting-lists of any representative-district or districts or ward or wards or voting-district or districts in any representative-district, ward, or voting-district, or at their office or other place designated as aforesaid, at any convenient time or times, on the same day or different days, not inconsistent with the provisions of this chapter.

Board of canvassers may meet to canvass voting-lists, at any other convenient times.

SEC. 4. Said boards of canvassers shall hold their last meeting not more than seven nor less than three days preceding the Tuesday next after the first Monday in November in each year

Final canvass to be made not more than seven nor less than three days prior to election, and notice of time and place to be given.

to further correct and add to the voting-lists, and shall also meet not more than seven nor less than three days prior to any other general or special election to further correct and add to and complete the voting-lists; and notice of the time and place of such meeting shall be given, for at least ten days previous thereto, by posting up notices thereof in three or more public places in every town not divided into representative-districts or voting-districts, and in other towns and cities in each representative-district, and one in each ward, and voting-district, and one in the town or city clerk's office, and by publication in one or more newspapers published in each town or city if any there be. City and town clerks, immediately upon issuing notices for any called town, ward, representative-district or voting-district meeting, or for any special election, shall notify the board of canvassers thereof.

Penalty for tearing down or destroying voting-list.

SEC. 5. Every person who shall unlawfully take down, deface or destroy any list of voters posted up as aforesaid, shall be fined three hundred dollars or be imprisoned three months.

Names of voters may be transferred in case of change of residence.

SEC. 6. Said boards of canvassers in the several towns and cities shall, unless otherwise provided by law, transfer the names of electors who shall have removed from one ward into another, or from one representative-district into another, or from one voting-district into another, to the voting-list of the ward or representative-district or voting-district in which they reside at the time of canvassing such lists.

Board of canvassers to correct voting-lists at each meeting.

SEC. 7. Said boards of canvassers shall, at their several meetings, correct the lists, and add to the lists of voters the names of all persons qualified to vote whose names shall not be on the list of voters.

Name not to be stricken from voting-list without proof of disqualification.

SEC. 8. No name shall be stricken from any voting-lists by any board of canvassers, unless proof shall be presented to said board that such name is the name of a person not qualified to vote, or who may not be qualified according to the provisions of this title.

SEC. 9. Upon the request in writing of the board of canvassers of any city or town, the chief of police, or town sergeant, as the case may be, shall cause a census to be made of the qualified electors of such city or town, or any representative or voting-district or districts therein, specifying, if possible, the street and number of each such elector's residence, and shall forthwith furnish such original census or a certified copy thereof to said board. Such chief of police or town sergeant shall furnish to said board, upon request in writing, such information as said board may require concerning the residence and right to vote of any person whose name appears upon the registry book of said city or town or upon any voting-list thereof.

Census of qualified electors may be taken by police.

SEC. 10. If any board of canvassers, at any meeting holden for the purpose of correcting the lists of voters as hereinbefore provided, shall willfully and fraudulently place upon the list of voters the name of any person who is not entitled to vote, or if it shall willfully and fraudulently reject or refuse to add to said list, or shall erase or cause to be erased from said list, the name of any person entitled to vote, every member of such board so offending shall be fined not less than one hundred dollars and not more than five hundred dollars.

Board of canvassers fraudulently adding or removing name from voting list, subject to penalty.

SEC. 11. Whenever the board of canvassers of any town or city, except of the city of Providence, at any meeting holden for the purpose of canvassing the rights and correcting the lists of voters, shall reject, or shall cause to be erased from the voting-lists, the name of any person qualified to vote, the person whose name said board of canvassers has rejected, or erased from said list, may file his petition in the supreme court, setting forth his residence, his qualifications, and such other facts in connection with the rejection, or erasure of his name from such list, as he may deem material, and praying that his name be added to said list.

Right of petition to supreme court in case name is wrongfully omitted or erased from voting-list.

SEC. 12. Upon the filing of said petition the supreme court shall, upon application, forthwith cause the members and clerk

In case of such petition, board of canvassers to be cited before court.

Court may make such order as it may deem proper.

of said board of canvassers to be cited to appear before said court, at a time and place to be named in said citation, to show cause why the prayer of said petitioner should not be granted.

SEC. 13. If, upon hearing, said court shall find that the name of said petitioner is not entitled to be placed or to remain upon said voting-list, said petition shall be dismissed. If, however, said court shall find that the name of said petitioner is entitled to be placed upon such voting-list, the said court shall, by decree, order such name to be placed upon said list. A copy of such decree shall be filed with the clerk of the board of canvassers, and thereupon said clerk shall, without action on the part of said board, place said name on said voting-list.

Voting-lists to be certified by presiding officers of boards and delivered to town clerks.

SEC. 14. The lists of voters so corrected shall be, by said boards of canvassers, certified by their respective presiding officers, and on the same day, except in the city of Pawtucket, shall be delivered to the respective town and city clerks.

Town clerks to deliver lists to election officers.

SEC. 15. From the lists so corrected, and before the time fixed for any election, the clerk of each town and city, except in the city of Pawtucket where the board of canvassers of said city shall deliver to the moderator of the town meeting or representative-district meeting, or voting-district meeting or ward meeting to be held therein, separate certified lists of the voters qualified to vote at each of such meetings.

Penalty for neglect of duty.

SEC. 16. Every member of the board of canvassers and every other person entrusted with any corrected lists of voters who shall willfully neglect to deliver such list as required by law, shall be fined not exceeding five hundred dollars.

Board of canvassers not to be liable for any omissions of which they do not receive proof.

SEC. 17. The boards of canvassers, in case they shall have entered on said lists the names of all persons returned to them by said town or city clerks, shall not be held answerable for any omission in said lists, nor for refusing to place on said lists the name of any person omitted in the lists to them delivered as aforesaid, unless at one of their said meetings they shall be furnished with sufficient evidence of such omission, and of the

qualifications as a voter of the person whose name is omitted.

SEC. 18. The respective town clerks, and the clerks of the boards of canvassers and registration, shall record the votes of the members of the board of canvassers upon admitting or rejecting the name of any person from the list of voters, whenever they shall be requested thereto by any member of said board, or by any qualified elector of said town or city, present at the time of canvassing, a certified copy of which record shall be evidence of the facts therein stated; and for any willful neglect on the part of said clerk to make said record, whenever requested as aforesaid, he shall be fined not exceeding five hundred dollars.

Votes on admitting or rejecting names of voters to be recorded by clerk of board of canvassers.

SEC. 19. Any person who shall at any time willfully and fraudulently add a name to any list of voters, or erase any name therefrom, after the same has been corrected and certified as aforesaid, shall be fined not less than one hundred dollars nor more than five hundred dollars.

Penalty for fraudulently adding or striking name from voting-list.

SEC. 20. The members of the boards of canvassers, and the clerks of such boards in the several towns where no other provision is made by law, shall be paid two dollars each, by their respective towns, for every day's attendance in the discharge of their duties; and the town clerks shall be paid, in addition, legal fees for making out and recording the several lists and returns in this chapter required.

Compensation of boards of canvassers and their clerks.

SEC. 21. The voting-districts as now respectively established in the towns of Coventry, Hopkinton, Johnston, Scituate, Smithfield, South Kingstown, and Tiverton, shall remain as at present constituted, unless the same shall be hereafter changed by the board of canvassers of said towns respectively. The voting-districts now established in a town or city other than in the towns mentioned in this section are hereby abolished.

Voting-districts in certain towns to remain as now constituted, others abolished.

SEC. 22. The board of canvassers of any town or city may, on or before the tenth day of September in any year, divide or redivide such town, or any representative-district in such town or city, into voting-districts. The board of canvassers of each

Power of boards of canvassers to create voting-districts.

city shall, before the tenth day of September, in the year 1910, divide the representative-districts of such city which comprise parts of two or more wards, into voting-districts. No voting-district shall at any time comprise parts of two or more wards. Said board of canvassers upon the dividing or redividing of a representative-district shall give public notice of what representative-district have been divided or redivided into voting-districts by publication in some newspaper having a general circulation in said city or town, and shall post, for a period of forty days, a map in the office of said board or in the town clerk's office, as the case may be, showing the lines of said voting-districts, and shall at all times keep the same on file in their respective offices.

## CHAPTER 9.

(AS AMENDED BY SECTION 3, CHAPTER 640, AND SECTION 1 AND 2, CHAPTER 781, PUBLIC LAWS.)

### OF ELECTIVE MEETINGS.

Town meetings  
for election,  
how warned  
and organized.

SECTION 1. Town meetings for purposes of election shall be warned and organized as is or may be provided by law for the warning and organization of town meetings for other purposes, unless otherwise specially directed, and shall be held at the times by law appointed.

Ward meetings  
for election,  
how warned  
and organized.

SEC. 2. Ward meetings in cities for like purposes shall be warned and organized as is or may be by law, or by the charters of such cities provided, and shall be held at the times by law appointed; and the city clerk of the city of Providence shall, in the warrant calling such meetings, state the time of the rising of the sun on the days of such meetings: *Provided*, that in the city of Pawtucket such meetings shall be warned by the board of canvassers and registration.

SEC. 3. Representative-district meetings and voting-district meetings for the purposes of election shall be warned and



organized as is or may be by law provided, and notice of all such meetings shall be given by the city or town clerk issuing his warrant, directed to the town sergeant or one of the constables of such city or town, directing him to post, at least seven days before the day appointed for such meetings, written notifications in three or more public places in each voting-district, and in each representative-district not divided into voting-districts, of the time when, and place where, such meeting is to be holden, and of the business required by law to be transacted therein, and stating in such warrant the time of the opening and closing of the polls at each elective meeting to be held in such city or town: *Provided*, that in the city of Pawtucket such notice shall be given and posted by the board of canvassers and registration.

Representative and voting-district meetings for election, how warned and organized.

SEC. 4. The officer charged with the service of said warrant shall, previous to said meetings, make return to the respective district clerks of his doings upon said warrant.

Officer serving warrant for election to make return to district clerks.

SEC. 5. In the election of general officers, representatives in congress, and electors of president and vice-president of the United States, and of city officers of all cities, and in the election of senators and representatives in the general assembly, the town, ward, representative-district, and voting-district meetings of the several cities and towns shall be kept open for voting during the whole time of voting for the day.

In the election of certain officers, polls to be kept open during the whole time of voting.

SEC. 6. Voting-district meetings in towns which are or may be divided into voting-districts for the purpose of election, and voting-district meetings in representative-districts which are or may be divided into voting-districts for the purposes of election, and representative-district meetings in towns which are or may be divided into representative-districts which are not divided into voting-districts, shall be held within the respective districts by the electors thereof at the times by law appointed and at places designated by the board of canvassers of the respective cities and towns; and the moderator and clerk, when present, shall constitute a quorum of electors for the opening of the

Boards of canvassers to designate place for holding elections.

polls for voting for all civil officers, except for moderator and clerk.

National and state elections to be held on Tuesday next after first Monday in November,

SEC. 7. A meeting of the electors of every town, representative-district not divided into voting-districts, and of every voting-district shall be held annually on the Tuesday next after the first Monday in November at a place to be designated and furnished by the boards of canvassers of the respective towns and cities, at the expense of such towns and cities, respectively, for the purpose of organization, and voting for general officers, senators, and representatives in the general assembly, representatives in congress, and electors of president and vice-president of the United States, if to be chosen, and for such other officers as are to be chosen on that day.

Officers of a polling-place to be moderator and clerk, duties and term of office.

SEC. 8. The officers of a representative-district not divided into voting-districts, and of a voting-district, shall be a moderator and a clerk. Such moderator shall preside in all meetings of his district until his successor is elected and qualified. He shall have the same authority in said meetings as moderators of town meetings have, and shall be subject to the same penalties for willful violation or neglect of duty. Such clerk shall keep a record of the proceedings of the meetings in his district, and, after a choice of officers in his district, shall, in writing duly certified, notify the town or city clerk thereof: *Provided*, that in the cities of Providence and Pawtucket such notification shall be made to the board of canvassers and registration.

Hour of closing polls in towns having fewer and more than five hundred voters.

SEC. 9. All town meetings and elective meetings for the election of general officers, senators and representatives in the general assembly, representatives in congress, and electors of president and vice-president of the United States, shall be opened at ten o'clock in the forenoon and shall be continuously kept open for voting in towns having five hundred electors or upwards until five o'clock in the afternoon, and in towns having less than five hundred electors until three o'clock in the afternoon, except as hereinafter provided.

SEC. 10. (As amended by Section 1, Chapter 781, Public Laws.) All elective meetings in the following named cities and towns shall be opened: in the city of Providence, at sunrise; in the city of Newport, at half past six in the forenoon; in the city of Cranston, at six o'clock in the forenoon; in the cities of Central Falls, Pawtucket, and Woonsocket, and in the town of Burrillville, and North Providence, at eight o'clock in the forenoon; in the towns of Bristol, Cumberland, East Providence, Lincoln, and Westerly, at nine o'clock in the forenoon; and in the first representative district of the town of Warwick, at forty-five minutes after five o'clock in the forenoon and in all other elective meetings in said town of Warwick, at eight o'clock in the forenoon.

Hour of opening polls in certain cities and towns.

SEC. 11. (As amended by Section 2, Chapter 781, Public Laws.) Elective meetings in the cities and towns hereinafter named shall be continuously kept open for voting, in the cities of Providence, Pawtucket, Central Falls, Cranston, and Woonsocket, and in the towns of Cumberland and Lincoln, until seven o'clock in the afternoon and no longer; in the city of Newport and town of Burrillville, until half-past six o'clock in the afternoon and no longer; in the towns of East Providence and Bristol, until eight o'clock in the afternoon and no longer; in the town of Warren, until half-past seven o'clock in the afternoon and no longer; in the towns of Warwick and Westerly, until five o'clock in the afternoon and no longer; in the town of North Providence, until six o'clock in the afternoon and no longer.

Hour of closing polls in certain cities and towns.

SEC. 12. The provisions of this chapter shall govern elective meetings held in accordance with the provisions of chapter eleven, if and so far as they are applicable and not inconsistent with the provisions of said chapter eleven.

Provisions of this chapter to govern elections held under secret ballot law.

Pub. Laws,  
Chap. 829,  
March 21, 1901.  
14 R. I., 267.  
16 R. I. 42.  
17 R. I. 391.  
25 R. I. 522.

Ballot-boxes  
and other para-  
phernalia, how  
provided.

## CHAPTER 10.

### OF THE MANNER OF CONDUCTING ELECTIONS. .

SECTION 1. (As amended by Section 4, Chapter 640, Public Laws.) The city clerks of the several cities other than the cities of Providence and Pawtucket, and the boards of canvassers and registration in said cities, and the town clerks of the several towns shall, at the expense of their respective cities and towns, furnish a sufficient number of ballot boxes and all other paraphernalia necessary for the conduct of elections for the voting-places in their respective cities and towns, and shall see that such boxes are kept in proper condition for use and that each voting-place is supplied with the required number of such boxes on the day of every town, ward, or district meeting held thereat.

Form of ballot-  
boxes and how  
used.

SEC. 2. Said ballot-boxes shall have a sufficient opening in the top to receive the ballots, and shall in open town, ward, and district meeting, and before the balloting has commenced, be opened and exhibited to all present; after which they shall be kept closed and locked, and shall not by the moderator or warden, nor by any other person whomsoever upon any pretext whatever, be opened until the balloting be completed, and shall be in charge of the moderators and wardens only.

What votes to  
be received,  
and what re-  
jected.  
13 R. I. 729.

SEC. 3. The moderator or warden of any town, ward, or district meeting shall receive the ballots of all persons whose names are upon the list of voters certified and delivered to him by the office designated by law, and shall reject the ballots of all persons attempting to vote whose names are not on said list.

Penalty for  
illegal rejection  
or reception of  
vote.

SEC. 4. Every moderator or warden whose duty it is to receive ballots, and every town ward, or district clerk, who shall reject the ballot of any voter whose name is on the town, ward, or district list, or who shall receive the ballot of any person whose name is not upon the town, ward, or district list, or who shall

place or permit to be placed in or abstract or permit to be abstracted from the ballot-box, or from the ballots during the counting thereof, any ballot, shall be fined not less than five hundred dollars nor more than one thousand dollars or be imprisoned not less than one year nor more than five years, either or both, at the discretion of the court: *Provided*, that nothing herein shall be construed to prevent the lawful depositing of the ballot of such moderator, warden, or clerk.

SEC. 5. Every voter shall at the time of voting announce his name to the moderator or warden, who shall pronounce the same aloud and cause it to be checked upon the voting-list by the clerk before the voter deposits his ballot or enters any voting-machine.

Voter to announce his name, and name to be repeated and checked before voting.

SEC. 6. In voting by ballot every voter shall also hold in his hand and deposit in said ballot-box his ballot or ballots in such a manner that said moderator and warden can distinctly see that he deposits but one ballot of a kind.

Voter to deposit ballot, in what manner.

SEC. 7. After the voting in any town, ward, or district meeting shall be closed, the moderator or warden and the clerk of such meeting shall in open meeting proceed to count the ballots, and the moderator or warden shall announce the result.

Of counting the ballots.  
Pub. Laws,  
1229, April 26,  
1905.

SEC. 8. The moderator or warden and clerk of such meeting shall make a record in ink, in a book to be provided for that purpose by the secretary of state:

Record of elective meetings to be kept by whom, and what to contain.

*First*, Of the date of such meeting;

*Second*, Of the number of names checked upon the voting-list used at such meeting;

*Third*, Of the number of votes cast thereat for each candidate, and for what office;

*Fourth*, Of the number of votes cast for and against any proposition of amendment of the constitution; and

*Fifth*, Of the number of votes cast for and against any question which has been voted upon at said meeting, and shall each sign such record in ink. Said book shall in no case be

enclosed in any package containing ballots, but shall be taken by the moderator or warden of said meeting, upon the adjournment thereof, and be by him kept separate and apart from said ballots, where it will not be exposed to loss or destruction with them, and be by him delivered in person to the clerk of the town or city in which such meeting was held, within twelve hours after such record is made and signed. In case the ballots, or any of them, given in at such meeting are lost or destroyed, the record in such book shall be evidence of the matters therein contained and may be used in the same manner as such ballots might have been by the board or council authorized to make the final count thereof. The record of each class of ballots shall be made in said book before they are sealed up as provided in this chapter.

Ballots to be sealed up.

SEC. 9. When the counting of the ballots given in at such meeting is completed, and the result thereof has been announced, the moderator or warden and clerk shall forthwith seal up such ballots in open meeting, together with the certificate provided for in section twelve of this chapter, by enclosing them in stout paper and binding the package with suitable cord or twine and affixing to the package adhesive labels sufficient in number to prevent the abstraction of any ballots from or the adding of any ballots to the contents of such package, and the moderator or warden and clerk of the meeting shall affix their signatures in ink to each of said labels. Whenever both of the officers whose duty it is to sign such labels are of the same political party, they shall also allow some elector of another political party to affix his signature in ink to all of such labels: *Provided*, that in towns not divided into voting-districts the ballots cast for town officers need not be so sealed.

Method of sealing.

Labels to be signed, by whom.

Packages of ballots, how to be addressed and endorsed.

SEC. 10. (As amended by Section 5, Chapter 640, Public Laws.) The packages so sealed up shall each be addressed to the board or council to which they are to be delivered and be plainly endorsed in ink, by the clerk of such meeting, with:

*First*, The name of the town or city where such meeting was held;

*Second*, The number of the voting-district, if it be a voting-district meeting;

*Third*, The number of the representative-district and of the voting-district therein if it be a representative voting-district meeting;

*Fourth*, The number of the ward, if it be a ward-meeting;

*Fifth*, The number of the ward and of the voting-district therein, if it be a ward district meeting;

*Sixth*, The day, month, and year of holding such meeting; and

*Seventh*, The class or classes of ballots which such package contains.

SEC. 11. The ballots given at any such meeting for electors of president and vice-president of the United States, representatives in the congress of the United States, general officers of the state, senators and representatives in the general assembly, and ballots given in at any such meeting upon any proposed amendment of the constitution and upon any question or questions submitted to the electors of the state, shall be sealed up in one package, which shall contain no other ballots. In cities and in towns divided into voting-districts the ballots given in at any such meeting for city and town officers, for ward and voting-district officers, and for and against any question submitted to the electors of such city or town shall be sealed up in one package containing no ballots given in for any other officers, or for or against any proposition or question submitted to the electors of the state.

Ballots, how to be sealed up.  
Pub. Laws, 1229, April 26, 1905.

SEC. 12. (As amended by Section 6, Chapter 640, Public Laws.) In each package of ballots sealed up as provided in section nine of this chapter there shall be enclosed a certificate in ink, signed by the moderator and clerk of such meeting, stating;

Form of certificate to be enclosed in package of ballots.

*First,* The number of names checked upon the voting-list used at such meeting;

*Second,* The number of ballots cast for each candidate for whom ballots are enclosed, and for what office;

*Third,* The number of ballots cast for and against any proposition of amendment of the constitution, if such ballots are enclosed therein; .

*Fourth,* The number of ballots cast for and against any question submitted to the electors, if such ballots are enclosed therein;

*Fifth,* That such ballots are all the ballots that were given in at such meeting for such candidates or for and against any such proposition or question;

*Sixth,* The date of such meeting;

*Seventh,* The city or town, and the number of the representative-district, ward or voting-district, in which such meeting was held.

Of the delivery  
of ballots to  
state returning-  
board.  
Pub. Laws,  
1229, April 26,  
1905.

SEC. 13. In all cities and towns the packages containing the ballots for electors of president and vice-president, representatives in congress, general officers, senators and representatives in the general assembly, and for and against any proposition of amendment of the constitution or question submitted to the electors of the state, after such ballots have been counted, declared, sealed, and endorsed as hereinbefore provided, shall be delivered in person, by the clerk of such meeting, to the state returning-board within forty-eight hours after they have been sealed. Upon the receipt of said packages the secretary of said returning-board shall give to the person so delivering them a certificate of such delivery, on presentation of which to the town or city council such person shall be paid ten cents for each mile's travel to and from the office of the said returning-board, to be computed from the place of voting.

SEC. 14. In cities other than the cities of Providence and Pawtucket, and in towns divided into voting-districts, the packages containing the ballots cast at any such meeting for city



and town officers, and voting-district, ward, and ward-voting-district officers, and for and against any question submitted to the electors of such city or town, after such ballots have been counted, recorded, sealed, and endorsed as hereinbefore provided, shall be delivered in person by the clerk of such meeting to the clerk of the city or town where such meeting was held within twelve hours after such sealing is done.

Of the delivery of ballots cast in cities other than Providence and towns divided into voting-districts.

Pub. Laws, 1229, April 26, 1905.  
16 R. I. 766.  
17 R. I. 415.

SEC. 15. In the cities of Providence and Pawtucket the packages containing the ballots described in section fourteen of this chapter, given in at any such meeting, after such ballots have been counted, recorded, sealed, and endorsed as herein before provided, shall be delivered in person by the clerk of such meeting to the board of canvassers and registration within twelve hours after such sealing is done.

Cities of Providence and Pawtucket.

SEC. 16. In cities other than the city of Providence, and in towns divided into voting-districts, ward and district meetings held therein respectively for the election of city, town, ward, and voting-district officers, or of any of them, shall at the time of closing the polls therein described by law stand adjourned to the seventh day next from and after the day so appointed unless the said seventh day shall fall on a holiday, and in that event to the day following said holiday, with like adjournment therefrom: *Provided, however*, that in Westerly and Hopkinton there shall be no election held on Saturday, and if the day of any such adjournment fall on Saturday the meeting shall stand adjourned to the Monday following.

Of adjourned meetings of electors.

16 R. I. 761.  
18 R. I. 258.

SEC. 17. If in any case in a town not divided into voting-districts there shall be no election of the town officers voted for who are required to be elected by the people, or of any of them, the polls may be re-opened and the like proceedings shall be had until an election takes place. In such towns, after the declaration of the results of the voting for town officers, the town clerks shall give certificates of their election to the persons elected town officers.

Of re-opening polls in towns not divided into voting-districts.

Pub. Laws,  
1229, April 26,  
1905.  
17 R. I. 415.

SEC. 18. In cities other than the cities of Providence and Pawtucket and in towns divided into voting-districts the boards of aldermen and town councils shall be in session on the day following any election for city, town, ward, and voting-district officers, or for any of them, and shall in open meeting count the ballots given in at such election and declare the results thereof, and the clerks of such boards and councils shall make a record thereof. The several city and town clerks shall forthwith, after such declaration, give certificates of their election to the persons declared elected.

Ballots how  
counted, except  
in Providence  
and Pawtucket.

Of the board of  
canvassers of  
the city of  
Providence.

Pub. Laws, 363,  
May 14, 1896.

SEC. 19. The board of canvassers of the city of Providence shall count all ballots cast at any election in said city, for mayor, city treasurer, overseer of the poor, harbor master and members of the common council and board of aldermen, and for such other officers as at the time of the passage of this chapter said board is required by law to count, and shall determine and declare the result of such election. Said board shall also count, determine and declare the result of all ballots cast in said city for and against any proposition submitted to the electors of said city, other than propositions submitted to the people of the state at large.

Of counting the  
ballots.

SEC. 20. Said board shall meet at the city hall of said city on the day following any such election or day of voting upon such question as aforesaid, and shall commence such count and continue the same on every secular day thereafter until said count is fully completed. Said ballots shall be counted by the members of said board in person and in open meeting; and any candidate for any office to be filled at any such election, or any person authorized by him in writing, may be heard for or against the counting or rejection of any ballots cast thereat, and said board shall determine all questions as to the validity of such ballots. Upon the completion of said count said board shall record and certify, over the signatures of its members, or a quorum thereof, in a book kept by them for such purpose, the

number of ballots given in at such election, specifying the names of the persons, for what offices, and the number of ballots given in for each, and also the number of ballots cast for and against any such proposition, and forthwith shall publicly declare the result thereof, and shall forthwith certify said result and determination to the city clerk, and said city clerk shall thereupon issue certificates of election to the persons certified by said board to have been elected, and in case of the adoption or rejection of any such proposition shall take any subsequent action required of him by law. Whenever it shall appear from the certificate of said board that no person has been lawfully elected to any office, said city clerk shall thereupon forthwith notify the mayor of said city in writing, and, as soon as may be thereafter, said mayor shall convene the board of aldermen, and said board of aldermen shall issue warrants for another election: *Provided, however,* that a period of not less than seven nor more than ten days shall intervene between the time said city clerk shall be notified as aforesaid of such election; and so from time to time shall order new elections until the election shall be completed.

SEC. 21. All ballots, records, certificates, returns, books, documents and papers, of every kind and nature, except as provided in section eight of this chapter, pertaining to any such election or the voting upon any such proposition, shall in the city of Providence be returned and delivered to and filed with said board within the time and in the manner provided by sections eight, fourteen, and fifteen of this chapter, and under the same penalties as provided by section thirty-one of this chapter. Any member of said board who shall knowingly make any false count, return, record, or certificate of any kind relative to the count of said ballots, or the determination of the result of any such election or the voting upon any such proposition as aforesaid, shall be subject to a fine of not exceeding five thousand dollars or to imprisonment not exceeding five years or to both such fine and imprisonment.

Of the return of  
the ballots.

Who may be allowed to scrutinise the counting of ballots.

SEC. 22. The several boards and councils named in sections eighteen and nineteen shall, at the counting of the ballots provided for therein, admit two republicans and two democrats within the space reserved for such counting, and allow them to scrutinize said counting under such reasonable restrictions as may be prescribed by such boards and councils. Each of such republicans and democrats shall be authorized in writing, by the chairman of the city or town committee of the political party to which he belongs. The provisions of this section shall not be construed to prevent said boards or councils from admitting, in their discretion, other persons within said reserved space during such counting.

Duties of board of canvassers and registration of Pawtucket as to counting certain votes and issuing certificates of election.

SEC. 23. (As amended by Section 6½, Chapter 640, Public Laws.) The board of canvassers and registration of the city of Pawtucket shall count all ballots delivered to it under the provisions of Sections 14 and 15 of this chapter. Upon completing any such count said board shall declare the result and the clerk shall make a record thereof in a book kept for that purpose in manner provided by law, certifying to the same over his signature, and said clerk shall forthwith issue a certificate of election to all persons declared elected. Whenever it shall appear from such count that no person has been lawfully elected to any office, said board shall in manner provided by law issue a warrant for another election.

Packages of ballots once sealed not to be opened, except by whom.

SEC. 24. No package of ballots, after having been sealed as provided in section nine of this chapter, shall thereafter be opened by any moderator, warden, or clerk, or by any other person upon any pretence whatever, except by the boards to councils authorized by law to count the same and at the time provided for such counting. Any person who shall willfully violate any of the provisions of this section shall be fined not more than one thousand dollars or be imprisoned not more than three years, or both.

SEC. 25. The secretary of state shall at the expense of the state procure for use at all elective meetings held therein a sufficient supply of suitably strong cord and twine and of paper for enclosing the ballots, and also of adhesive labels not less than four inches in length and two and one-quarter inches in width, for use in complying with the provisions of section nine of this chapter. He shall also for use at all meetings held therein for the election of electors of president and vice-president of the United States, representatives in congress, general officers, and senators and representatives in the general assembly, or for voting upon propositions or questions submitted to the electors of the state, have printed at such expense, upon the paper for enclosing the ballots, or upon adhesive labels not less than six inches in length and four inches in width, a sufficient number of blank forms of the endorsement provided for in section ten of this chapter, and upon suitable paper a sufficient supply of blank forms of the certificates provided for in section twelve of this chapter, and shall furnish to the city or town clerk of each city and town, at least ten days before the day for holding such meetings, an ample quantity of each of the articles named in this section for use at all meetings to be held in such city or town.

Certain election supplies to be furnished by the secretary of state.

SEC. 26. The several city and town clerks shall at the expense of their respective cities and towns procure for use at meetings held therein for the election of city, town, ward, and district officers a sufficient supply of blank forms of the endorsement provided for in section ten of this chapter, printed upon adhesive labels not less than six inches in length and four inches in width, or upon strong paper of suitable size for enclosing the ballots as provided in section nine of this chapter, and of the certificates provided for in section twelve of this chapter; and shall seasonably furnish at each voting-place therein, on the day of every election held thereat, an ample quantity of each of the articles named in this section, and of the articles provided

City and town clerks to furnish certain supplies.

for in section twenty-five of this chapter, to be furnished to him by the secretary of state.

Clerks may appoint some officer to deliver ballots, when.

SEC. 27. Every clerk upon whom is imposed by this chapter the duty of delivering any package of ballots may appoint in writing some officer of the city or town where he resides to deliver such package in his stead, in case of his sickness or absolute inability to deliver the same in person.

Words "ballots" and "votes" construed.

SEC. 28. Wherever in this chapter the word "ballots" or the word "votes" is used it shall be construed to mean the evidence of the intent of the voters as shown by the tally-sheets or records made upon paper by any voting-machine used in the election of officers or in voting upon any proposition or question.

Words "voting-district," "warden," and "clerk" construed.

SEC. 29. The words "voting-district" shall be construed to include ward voting-districts, the word "warden" ward-district wardens, and the word "clerk" ward-district clerks, wherever used in this chapter, and the duties imposed upon wardens and clerks by this chapter are hereby imposed upon ward-district wardens and ward-district clerks.

Penalty for neglect or refusal to furnish certificates of election.

SEC. 30. Every city or town clerk who shall neglect or refuse to furnish any city, town, ward, or voting-district officer-elect with a proper certificate of his election as soon as may be thereafter shall be fined not less than fifty dollars nor more than five hundred dollars, or be imprisoned not exceeding six months, either or both, at the discretion of the court which shall try such offender.

Penalty for neglect to count, seal up, etc., ballots.  
16 R. I. 42.

SEC. 31. Every moderator, warden, or clerk who shall neglect to count the ballots or to declare the result thereof as provided in this chapter or to seal up the ballots at the time and in the manner provided therein, or who shall knowingly seal up only a part of the ballots, or who shall willfully neglect to enclose in the package with the ballots the certificate provided for in section twelve hereof, or to make and sign the record in the book kept for that purpose, shall be fined not less than fifty dollars nor more than three thousand dollars, or be imprisoned

not more than three years, or both, in the discretion of the court before which such offender shall be tried.

SEC. 32. Every moderator or warden who shall neglect to take, keep or deliver the record-book of any elective meeting to the officer in the manner or at the time provided in this chapter, and every clerk who shall neglect to make the endorsement upon any package of ballots or to deliver such package as to provided, and every officer authorized by any clerk to deliver any package of ballots in his stead who shall neglect to deliver the same to the proper person or within the time so provided, and every city or town clerk who shall neglect to provide at each voting-place in the city or town of which he is clerk an ample supply of the articles named in section twenty-six of this chapter, or of any of them, shall be fined not less than twenty dollars nor more than one thousand dollars, or be imprisoned not more than one year, or both, in the discretion of the court before which such offender shall be tried.

Penalties on moderators, wardens, and clerks.  
16 R. I. 42.

SEC. 33. All provisions of any public or special law in relation to any city or town inconsistent with this chapter are hereby repealed so far as they apply to the conduct of elections held for any of the officers or for voting upon any proposition or question named in this chapter.

Repeal of public or special laws.

## CHAPTER 11.

### OF ELECTIONS BY SECRET BALLOT.

Gen. Laws,  
1896, Ch. 11.  
Pub. Laws,  
1229, April 26,  
1905.

SECTION 1. For all elections of electors of president and vice-president of the United States, representatives in the congress of the United States, general officers of the state, and members of the general assembly, the nominations for such officers shall be printed on one ballot, together with any proposed amendment to the constitution of the state or other question submitted to the electors of the state. The printing of such ballots and the instruction-sheets hereinafter provided, and the

Ballots used at state elections, how to be furnished.  
Pub. Laws,  
1229, Sec. 1,  
April 26, 1905.

delivery of them to the several cities and towns shall be paid for by the state. The distribution of the ballots to the voters shall be paid for by the cities and towns respectively.

Ballots for elections of city officers, and votes on city questions, how furnished.

SEC. 2. All ballots cast in elections by the people of the several cities (not including towns) for mayor, other general city officers and members of the school committee, for members of the city council, and for ward or voting-district officers in any city, or on any question submitted to the vote of the electors of any city, shall be printed and distributed at the expense of such city, as hereinafter provided.

Ballots for elections of town officers, how furnished.

SEC. 3. In elections by the people of the several towns (not including cities) which have adopted, or shall adopt, the system of voting provided by this chapter, all ballots cast for officers who are elected by the people of such towns respectively, members of the school committee, and voting-district officers, shall be printed and distributed at the expense of such towns, as hereinafter provided.

#### NOMINATION OF CANDIDATES IN CONVENTION OR CAUCUS.

Congressmen and state officers, how to be nominated in caucus or convention.

SEC. 4. (As amended by Section 7, Chapter 640, Public Laws.) Any convention of delegates representing a political party which, at the election next preceding, polled at least two per centum of the entire vote cast in the state for governor, may for the state make one nomination for each office mentioned in section one of this chapter, therein to be filled at the election, and any convention of delegates or caucus representing a political party which at the election next preceding polled at least two per centum of the entire vote cast for governor in any congressional district, city, town, or representative-district, may for such district, city, or town, make one nomination for each office mentioned in said section one, therein to be filled at the election, by causing a certificate of nomination to be duly filed, as hereinafter provided. Every such certificate of nomination



shall state such facts as are required for its acceptance by this section and by section sixteen of this chapter.

SEC. 5. Any convention of delegates representing a political party which, at the election next preceding, polled at least two percentum of the entire vote cast in the city for which the nomination is made, held in any such city, and any caucus of such a political party, held in any such city, for the nomination of general city officers, or school committee, or in any ward or voting-district, in such city, for the nomination of officers to be chosen by the voters of such ward or voting-district, may for the city, ward, or voting-district, for which the convention or caucus is held, as the case may be, by causing a certificate of nomination to be duly filed, make one such nomination for each office therein to be filled at the election. Every such certificate of nomination shall state such facts as are required for its acceptance by this section and by section sixteen of this chapter.

City officers,  
how to be nomi-  
nated in con-  
vention or cau-  
cus.

SEC. 6. Any convention of delegates representing a political party which, at the election next preceding, polled at least two per centum of the entire vote cast in the town for which the nomination is made, held in any such town, and any caucus of such a political party, held in any such town, for the nomination of the officers referred to in section three of this chapter, as the case may be, by causing a certificate of nomination to be duly filed, may make one such nomination for each office therein to be filled at the election. Every such certificate of nomination shall state such facts as are required for its acceptance by this section and by section sixteen of this chapter.

Town officers,  
how to be nomi-  
nated in con-  
vention or cau-  
cus.

SEC. 7. Wherever the words "political party" are used in section four, five, and six of this chapter, they shall be construed to mean a political party which at the next preceding annual election of state officers cast for its candidate for governor at least two per centum of all the votes cast in the state for that officer.

Words "poli-  
tical party"  
defined.  
Pub. Laws,  
1059, Dec. 12,  
1902.

### NOMINATION OF CANDIDATES BY INDIVIDUAL VOTERS.

General officers may be nominated by 500 electors;

Representatives in congress by 250 electors.

SEC. 8. Nominations of candidates for any offices to be filled by the voters of the state at large, or of a congressional district, may be made by nomination-papers signed in the aggregate for each candidate by not less than five hundred qualified voters of the state in the case of a state office, and two hundred and fifty in the case of a representative in congress.

Number of signatures required for nomination of senators.

SEC. 9. (As amended by Section 8, Chapter 640, Public Laws.) Nominations of candidates for senators in any city may be made by nomination-papers signed by one hundred voters of such city qualified to sign such nomination-papers, and in any town by nomination-papers signed by fifty voters of such town qualified to sign such nomination-papers.

Number of signatures required for nomination of representatives.

SEC. 10. (As amended by Section 9, Chapter 640, Public Laws.) Nominations of candidates for members of the house of representatives from any town not divided into representative-districts, or from any representative-district, may be made by nomination-papers signed by fifty voters of such town or representative-district qualified to sign such nomination-papers.

General city officers, by 100 electors.

SEC. 11. Nominations of candidates for any municipal offices to be filled by the voters of any city at large may be made by nomination-papers, signed in the aggregate for each candidate by not less than one hundred qualified voters of such city.

General town officers, by 50 electors.

SEC. 12. Nominations of candidates for any municipal offices to be filled by the voters of any town at large (not including cities) may be made by nomination-papers signed in the aggregate for each candidate by not less than fifty qualified voters of such town.

Number of signatures required for nomination of ward, representative, and voting-district officers.

SEC. 13. (As amended by Section 10, Chapter 640, Public Laws.) Nominations of candidates for offices to be filled by the voters of any representative-district, ward, or voting-district in any city or town may be made by nomination-papers signed

in the aggregate for each candidate by not less than fifty voters qualified to vote for each of such candidates.

SEC. 14. (As amended by Section 11, Chapter 640, Public Laws.) Each voter signing a nomination-paper shall add to his signature his place of residence, and each voter may subscribe to one nomination for each office to be filled and no more. Each nomination-paper required by law to be filed with the secretary of state shall, before being filed, be submitted to the board of canvassers and registration in cities in which such board is or shall be established, at least two days before the last day for filing the same, and to the city or town clerks in other cities and towns in which, respectively, the signers purport to be qualified voters, and the clerk of each board of canvassers and registration and each city or town clerk to whom the same is submitted shall forthwith certify thereon what number of the signatures are names of voters qualified to sign such nomination-paper in such city or town, ward, or district: *Provided, however,* that when such list shall be submitted to said board, or whenever any such nomination-paper shall be filed with said board, on any date on which a caucus of any political party is to be held, said clerk shall not certify as to the qualification of such signers until after said caucus shall have been held.

How nomination papers must be signed, and certificate of qualification of signers required.

Special provision regarding nomination papers filed on day of any caucus.

SEC. 15. (Repealed by Section 12, Chapter 640, Public Laws.)

#### CERTIFICATES OF NOMINATION AND NOMINATION-PAPERS.

SEC. 16. Every certificate of nomination and every nomination-paper shall, besides containing the names of candidates, specify as to each: (1) the office for which he was nominated; (2) the party or political principle which he represents, expressed in not more than three words: *Provided,* that in such expression the words "Republican" or "Democrat" shall not be combined with any other word or words; and (3) his place of residence, with street and number thereon, if any. And in the case

Form of certificates of nominations and nomination papers, as to candidates.  
26 R. I. 475.

of electors of president and vice-president of the United States the names of the candidates for president and vice-president may be added to the party or political appellation.

Certificates of nominations to be authenticated.

SEC. 17. Every certificate of nomination shall be signed by the presiding officer, and by the secretary or clerk, of the caucus or convention by which the nominations, thereby certified, were made; and each of said officers shall add thereto his place of residence; and the officers signing said certificate shall swear that the statements contained in the same are true to the best of their knowledge, information and belief, and a jurat of said oath shall be affixed to said certificate by the officer before whom said oath was made.

Certificates of nominations, and nomination papers, to be filed, when. Pub. Laws, 812, Jan. 31, 1901.

SEC. 18. Certificates of nomination and nomination-papers for officers referred to in section one of this chapter shall be filed at least twenty days, and such certificates and papers for officers referred to in sections two and three of this chapter shall be filed at least fifteen days previous to the day of the election for which the candidates are nominated, and may be filed by any person lawfully in possession of the same for that purpose.

How and when persons nominated may withdraw as candidates.

SEC. 19. (As amended by Section 14, Chapter 640, Public Laws.) Any person whose name has been presented as a candidate for any office mentioned in section one of this chapter may cause his name to be withdrawn from nomination by request in writing signed by him and acknowledged before any officer qualified to take acknowledgment of deeds and filed with the secretary of state at least eighteen days previous to the day of the election for which such candidate was nominated; and any person whose name has been presented as a candidate for any office referred to in sections two and three of this chapter may cause his name to be withdrawn from nomination by request in writing signed and acknowledged as aforesaid and filed with the city clerk or town clerk of the city or town, respectively, in which, or in any ward or voting-district of which, the election of candidates for said last-mentioned office

is to be held, at least thirteen days previous to the day of the election for which such candidate was nominated: *Provided*, that in the city of Pawtucket said withdrawal shall be filed with the board of canvassers and registration. No name so withdrawn shall be printed upon the ballots; but no nomination which is actually published and posted as provided in this chapter shall be subsequently omitted as invalid.

SEC. 20. (As amended by Section 13, Chapter 640, Public Laws.) Whenever any candidate shall have withdrawn as herein provided, or whenever any candidate, duly nominated shall die, the vacancy may be supplied by the political party, or other persons, making the nomination, by the nomination of another candidate in the manner hereinbefore provided; or, if there is not sufficient time, in such manner as such party may have before provided by a vote of the convention or caucus thereof; or, if there has been no such vote, in such manner as the executive committee or other general committee representing such party for the state, congressional district, city, or town, representative-district, ward or voting-district, as the case may be, shall provide, said nomination to be filed in manner hereinbefore provided.

Vacancies caused by death or withdrawal of candidate, how to be filled.

SEC. 21. (As amended by Section 15, Chapter 640, Public Laws.) Certificates of nomination and nomination-papers, and requests for withdrawal of the name of any candidate, and nominations in substitution of candidates so withdrawing, relating to any of the offices mentioned in section one of this chapter, shall be filed with the secretary of state, or in his office with some person there present and officially representing him; and certificates of nomination and nomination-papers, and request for withdrawal of the name of any candidate, and nominations in substitution of candidates so withdrawing, relating to any of the offices referred to in sections two and three of this chapter, shall be filed with the city clerk or town clerk of the city or town respectively, in which, or in any ward or voting-district of which,

Nominations and withdrawals, with whom to be filed.

the election of candidates for said last-mentioned offices is to be held, or shall be filed in the office of such city clerk or town clerk with some person there present and officially representing him: *Provided*, that in the city of Pawtucket such certificates, nomination-papers, withdrawals, and nominations shall be filed with the board of canvassers and registration, or in their office with some person there present and officially representing them.

Nominations and withdrawals, to be open to inspection and preserved for at least one year.

SEC. 22. (As amended by Section 16, Chapter 640, Public Laws.) All certificates of nomination and nomination-papers, and all requests for withdrawal of the name of any candidate, and all nominations in substitution of candidates so withdrawing, when filed, shall be open, under proper regulations, to public inspection, and the secretary of state, city clerks and town clerks, and boards of canvassers and registration, respectively, shall preserve the same in their respective offices not less than one year.

Of voting in case of candidate dying too late for new nomination.

SEC. 23. In case any candidate shall die before the election, but too late for a new nomination to be printed on the ballots, the voters may vote for any other person for the same office by substituting the name of such other person in the blank space on said ticket and placing a cross at the right of said name.

Ballots, how prepared, and what to contain.  
Pub. Laws, 1229, Sec. 2, April 26, 1905.  
16 R. I. 786.

SEC. 24. Every ballot printed in accordance with the provisions of this chapter shall contain the names of all candidates whose nominations for any offices specified in the ballot have been duly made and not withdrawn in accordance herewith, and shall contain no other names except the surnames of candidates for president and vice-president of the United States. The names of all such candidates and the offices for which they are nominated shall be arranged on the ballot in perpendicular columns, one column being assigned to each political party making nominations by convention, caucus, or nomination-papers in accordance with the provisions of this chapter: *Provided, however*, that in case only a partial list of candidates is nominated by any political party other than the republican or

democratic party, two or more such lists may be arranged whenever practicable in the same column.

The first column on the left-hand side of every ballot printed in accordance with the provisions of this chapter shall contain only the names of the nominees of the republican party; the second column only those of the democratic party; and the order of such other nominations as may be made shall be determined by the official whose duty it is to prepare the ballots. At the top of each column or list, immediately above the title of the first office to be voted for, there shall be printed in capital letters not less than one-fourth of an inch in height the name of the political party by which the candidates in such column were nominated. In case a nomination is made by nomination-papers, the words "nom. papers" shall be added to the party name.

Above such party name shall be printed a circle not less than seven-eighths of an inch in diameter, and such circle shall be surrounded by the following words printed in plain letters: "For a straight ticket make a cross (X) within the circle." Above each circle shall be printed an emblem or device designating or distinguishing the political party whose nominations have been assigned to that column. Such emblem or device of the republican party shall be the representation of an eagle, and such emblem or device of the democratic party shall be the representation of a star. The emblem or device designating or distinguishing any other political party whose nominations may now, or from time to time, be entitled to be placed upon the ballot shall be selected by the secretary of state and be printed upon the ballot above the column assigned to the nominations of such party: *Provided, however*, that the emblem or device shall be entirely different for each political party, and may be any appropriate symbol; but neither the coat of arms or seal of any state or of the United States, the national flag, any religious emblem or symbol, the seal of any society, the portrait of any

person, or the representation of a coin or of the currency of the United States, shall be chosen as a distinguishing emblem. Whenever any emblem or device has been selected by the secretary of state, and used upon official ballots for any political party, it shall not thereafter be so used for any other political party.

In each column the names of the candidates, their residence, together with the street and number if any, shall be placed immediately below the title of the office for which they are nominated, and at the right of the name of each candidate and on the same line there shall be a square so printed as to give the voter an opportunity to designate by a cross (X) therein his choice of candidates; except that in case of candidates for electors of president and vice-president of the United States one square shall suffice for each group of such candidates. Above the last or right-hand column of each ballot there shall be no circle or device, but there shall be printed in such column in the regular order the title of each office to be voted for; as "For Governor," "For Senator," and the like, and beneath each title there shall be left as many blank lines as there are persons to be elected to such office.

On ballots provided for elections mentioned in section one of this chapter the various offices to be voted for shall be arranged in each column in the following order: First, electors of president and vice-president of the United States; second, representative in the congress of the United States; third, governor; fourth, lieutenant-governor; fifth, secretary of state; sixth, attorney-general; seventh, general treasurer; eighth, senator in the general assembly; ninth, representative or representatives in the general assembly. On ballots provided for elections mentioned in sections two and three of this chapter the offices to be voted for shall be arranged in each column by the city or town clerk.



Whenever a constitutional amendment or other question is submitted to the vote of the electors of the state, such amendment or question shall, if candidates for office are to be voted for at the same time, be printed upon the ballot after, or beneath the lists of candidates, and the same arrangement shall be followed on ballots used in elections for officers named in sections two and three of this chapter, whenever a question is submitted to the electors of a city or town at such elections. The ballots shall be so printed as to give to each voter an opportunity to designate by a cross-mark (X) in a square his answer to the question submitted.

All ballots provided by the secretary of state under the provisions of this chapter shall be printed on plain white paper of a quality approved by him, and there shall be no mark or impression to distinguish one ballot from another. The names of all candidates shall be printed thereon in uniform type.

SEC. 25. Before distribution the ballots shall be folded so that no printing shall appear except the endorsement, which shall be printed on the back and outside, OFFICIAL BALLOT FOR, followed by the designation of the polling-place for which the ballot is prepared, the date of the election, and a fac-simile of the signature of the secretary of state, city clerk or town clerk, respectively, who has caused the ballots to be so printed and folded.

Ballots to be folded and endorsed, how.

SEC. 26. All nominations for offices to be voted for in accordance with the provisions of this chapter, at any election mentioned in sections two and three thereof, by any one elector, shall be printed on one ballot which shall have printed on the back and outside the words CITY OFFICERS, or TOWN OFFICERS, as the case may be: *Provided*, that special ballots, containing the nominations for members of the city council, in addition to the nominations for offices which can be voted for by voters qualified to vote by registry at any election mentioned in section two of this chapter, shall be printed for the use of such

All nominations to be on one ballot; ballots to be used by registry and by property voters, how distinguished.

electors only as are qualified to vote for members of the city council. Said special ballots shall be printed on paper of a different color from that of the other official ballot or the specimen-ballots, and shall have printed on the back and outside the additional word COUNCIL, and shall be given by the supervisors to such electors only as are qualified to vote for members of the city council.

Ballots to be put up in packages of 100 each, and accounted for.

SEC. 27. All ballots when printed shall be folded as hereinbefore provided and put up in packages of one hundred each. A record of the number of ballots printed and furnished to each polling place shall be kept and preserved by the secretary of state, or the officer furnishing the same.

Ballots, number of to be furnished.  
Pub. Laws, 1229, Sec. 3, April 26, 1905.

SEC. 28. There shall be provided for each voting-place at which an election is to be held not less than sixty ballots for every fifty and every fraction of fifty qualified voters therein; and it shall be the duty of the city or town clerk in each city or town in which an election for any of the officers mentioned in the first section of this chapter is to be held to certify to the secretary of state, fourteen days previous to any such election, the number, as near as possible, of voters then qualified to vote at each voting-place of such city or town. It shall be the duty of the secretary of state to provide said ballots for any election mentioned in section one of this chapter; and it shall be the duty of the city clerk and town clerk of the several cities and towns to provide said ballots for any election mentioned in section two and section three of this chapter, respectively.

Who is to provide the ballots.

#### INFORMATION TO VOTERS.

Instruction sheets and specimen ballots, to be prepared for the guidance of voters.

SEC. 29. For any election mentioned in section one of this chapter, the secretary of state, and for any election mentioned in section two and section three of this chapter, respectively, the respective city clerk and town clerk of the several cities and towns, shall prepare full instructions for the guidance of

voters at such elections, as to obtaining ballots, as to the manner of marking them, and the method of gaining assistance, and as to obtaining new ballots in place of those accidentally spoiled, and he shall cause the same to be printed in large, clear type, on separate sheets, to be called INSTRUCTION-SHEETS; he shall also cause to be printed in the same manner, sections forty-eight, forty-nine, fifty, and fifty-one of this chapter, which he shall furnish with the ballots for use in each such election. He shall also cause to be printed on paper of a different color from that of the official ballots, and without the fac-simile endorsements, ten or more copies of the form of the ballot provided for each voting-place at each election therein, which shall be called SPECIMEN-BALLOTS and shall be furnished with the other ballots provided for such voting-place.

SEC. 30. (As amended by Section 17, Chapter 640, Public Laws.) The secretary of state shall, four days at least previous to the day of any election of national or state officers, transmit to the city and town clerks in each city and town in which such election is to be held, printed lists containing the names, residences, and party or political appellations, of all candidates nominated as herein provided for such election, and to be voted for at each polling-place in each such city and town, respectively, substantially in the form of the ballot to be so used therein; and in case of any election of city, town, ward, or voting-district officers, the city clerk or town clerk shall, four days at least previous to the day of such election, prepare printed lists containing the names, residences, and party or political appellations, of all candidates nominated as herein provided for such elections, and to be voted for at each polling-place in such city, town, representative-district, ward, or voting-district, as the case may be, substantially in the form of the ballot to be used therein. And the city or town clerk shall, immediately after the reception or preparation, respectively, of the lists mentioned in this section, cause the list for

List of candidates in form of ballot to be furnished by secretary of state to city and town clerks, and in Pawtucket to board of canvassers and registration.

each city, town, representative-district not divided into voting-districts, ward, or voting-district, as the case may be, for such election, to be conspicuously posted in not less than five public places in the towns not divided into representative-districts, and in not less than three public places in representative-districts not divided into voting-districts, and in each ward and voting-district: *Provided*, that in the city of Pawtucket such printed lists shall be transmitted to and caused to be posted by, the board of canvassers and registration.

#### DELIVERY OF BALLOTS BY SECRETARY OF STATE.

Ballots, delivery of, by secretary of state.

Pub. Laws, 1229, Sec. 4, April 26, 1905.

SEC. 31. The secretary of state shall send the ballots provided by him for any election, together with the specimen-ballots and instruction-sheets printed by him as herein provided, to the several city and town clerks, so as to be received by them forty-eight hours at least previous to the day of election. The same shall be sent in a sealed package, with marks on the outside clearly designating the polling-place for which the package is intended and the number of ballots enclosed; and the respective city and town clerks shall, on delivery to them of such package, return receipt therefor to the secretary. The secretary shall keep a record of the time when, and the manner in which, the package is sent, and shall preserve for the period of one year the receipt of the city and town clerks.

Ballots, delivery of, by city and town clerks.

Pub. Laws, 1229, Sec. 5, April 26, 1905.

SEC. 32. The city clerk and town clerk of the respective cities and towns shall send to the warden or moderator of each voting-place, before the opening of the polls on the day of election, the ballots so prepared, sealed, and marked for such voting-place, by the secretary of state for any election mentioned in section one of this chapter, or prepared, sealed and marked for such voting-place by himself as such clerk in like manner for any election mentioned in section two and section three of this chapter, respectively, and a receipt of such delivery

shall be returned to him from the warden or moderator present, which receipt, with a record of the number of ballots sent, shall be kept in the clerk's office. At the opening of the polls in each voting-place the seals of the package shall be publicly broken, and the package shall be opened by the warden or moderator, and the ballots shall be delivered to the supervisors of election provided by law. The instruction-sheets shall be immediately posted at or in each voting-shelf or compartment provided in accordance with this chapter for the marking of ballots, and not less than three such sheets and not less than five specimen-ballots shall be immediately posted in or about the polling-room, outside the guard-rails.

SEC. 33. In the city of Pawtucket the board of canvassers and registration shall furnish the ballots otherwise required by law to be furnished by the city clerk, as provided by sections thirty-five to forty-five of chapter eight.

How in city of  
Pawtucket.

SEC. 34. In case the ballots to be furnished to any city or town or voting place therein, in accordance with the provisions of this chapter, shall fail for any reason to be duly delivered, or in case, after delivery, they shall be destroyed or stolen or lost, it shall be the duty of the clerk of such city or town to procure and deliver to the warden or moderator requiring the same, other ballots substantially in the form of the ballots so wanting; and upon receipt of such other ballots from him, accompanied by a statement under oath that the same have been so prepared and furnished by him, and that the original ballots have so failed to be received or have been so destroyed or stolen or lost, the warden or moderator shall cause the ballots so substituted to be used in lieu of the ballots wanting, as above.

Of loss, theft,  
or destruction  
of ballots.

#### SUPERVISORS OF ELECTION.

SEC. 35. (As amended by Section 18, Chapter 640, Public Laws.) At least ten days before any election as aforesaid the boards of canvassers in all cities and towns shall appoint four

Supervisors of  
election to be  
appointed by  
boards of can-  
vassers at least  
ten days before  
election.

and may appoint six supervisors of election for each polling-place in each town, representative-district, ward, or voting-district, wherein an election is to be held for their respective cities, towns, and representative-districts, who shall be republicans and democrats in equal numbers, to be selected from a list of not less than six electors presented to said board of canvassers, respectively, by the city or town committee of the republican and democratic parties, respectively, the republican supervisors to be selected from the republican list and the democratic supervisors from the democratic list, or, in case any such committee shall fail to submit such list within the required time, they shall select such supervisors from the electors of the same political party as the committee so failing to submit such list. Such supervisors shall be qualified electors in the town, representative-district, or voting-district in which they are appointed to serve and shall severally be able to read the constitution of the state in the English language and to write their names. Every person appointed a supervisor of election shall, within forty-eight hours thereafter, be notified in writing by the clerk of the boards of canvassers and registration, or the city or town clerk, as the case may be, of such appointment; and the person so appointed shall, within ninety-six hours after his appointment, notify in writing such clerk of his acceptance or declination of the appointment, and any vacancy occurring among said supervisors of election, whether by declination or refusal to serve or by failure to notify such clerk as aforesaid, or by failure from any cause to appear at or to remain during the time when they are required to perform their duties, shall, in cities wherein boards of canvassers and registration are established, be immediately filled by such boards, respectively, or by the presiding officer thereof, if said board shall not be in session, and in other cities by the mayor of the city, and in towns by the presidents of the town councils, respectively, from the lists before mentioned, by the substitution of a person of the same

Vacancies  
among super-  
visors, how  
filled.

political party as was the supervisor first appointed. Each of said supervisors shall be sworn to the faithful discharge of his duties before entering upon the performance of the same.

SEC. 36. (As amended by Section 19, Chapter 640, Public Laws.) The supervisors appointed in each town, representative-district, ward, or voting-district, shall have charge of the ballots therein received as hereinbefore provided, and shall receipt for the same to the moderator or warden, respectively, and shall furnish them to the voters in the manner hereinafter set forth. A duplicate list of the qualified voters in each town, representative-district or voting-district shall be prepared for the use of the supervisors, and all the provisions of law relating to the preparation and furnishing of said voting-lists shall apply to the duplicate lists. Two of said supervisors, one a democrat and the other a republican, shall be detailed by the moderator to act as ballot clerks. The two supervisors, detailed as above, shall have immediate charge of the duplicate list and the ballots, and shall furnish them to the voters in the manner hereinafter set forth.

Supervisors to have charge of ballots and of duplicate list of voters in polling place.

SEC. 37. (As amended by Section 20, Chapter 640, Public Laws.) It shall be the duty of supervisors of election to be present at the opening and the closing of the polls at said election at the polling-place in the town, representative-district, or voting district for which they shall be respectively appointed, and during the time the same shall be kept open, and they shall personally supervise the opening of the ballot-boxes and the sorting, counting, certifying, sealing up, and returning of the ballots cast in said town representative-district, ward, or voting-district; and they shall make returns by joint or separate report, in national, state and city elections to the returning-board or boards to whom said ballots are by law required to be returned, and in town elections to the town councils, setting forth that they have performed the several duties herein required of them, and may make a statement of such other facts relating to the

General duties of supervisors.

premises as they may deem proper to bring to the attention of said returning-board and town council, respectively. At the close of the polls at every election, the ballot-boxes used therein shall be opened and the ballots therein contained shall be sorted, counted, sealed up, and returned by the moderators and clerks, under the personal supervision and scrutiny of said supervisors of election. But nothing in this section contained shall be so construed as to relieve the moderators or clerks of town, representative-districts, or voting-districts from any of the duties or liabilities by law required or imposed upon them as such officers.

Compensation  
of supervisors.

SEC. 38. (As amended by Section 21, Chapter 640, Public Laws.) The supervisors of election in the city of Providence shall severally receive from said city ten dollars for every election, and, in all other cities and towns, shall receive such compensation for their services as may be, from time to time, fixed by the board of aldermen, the town council, or the city council of the city of Cranston, respectively.

One set of  
supervisors to  
act in all elec-  
tions on same  
day.

SEC. 39. Whenever any of the elections provided for by sections two or three of this chapter shall occur on the same day as an election for national or state officers, in any city or town, the supervisors appointed hereunder shall be the supervisors for all of such elections.

Person cannot  
be a candidate  
and supervisor  
at same elec-  
tion.

SEC. 40. (As amended by Section 22, Chapter 640, Public Laws.) No candidate for any office to be filled at any election shall be appointed at such election as a supervisor under the provisions of this chapter.

#### VOTING-SHELVES OR COMPARTMENTS.

Voting-places  
to be equipped  
in what man-  
ner.

SEC. 41. The city and town councils in each city and town shall cause each voting-place therein to be suitably provided with a sufficient number of voting-shelves or compartments, not less than one for each one hundred voters and in no case



less than three, at or in which voters may conveniently mark their ballots, so that in the marking thereof they may be screened from the observation of others; and a guard-rail with only one place for entrance and another place for exit, shall be so constructed and placed that only such persons as are inside said rail can approach within ten feet of the ballot-boxes, and of such voting-shelves or compartments. The arrangements shall be such that neither the ballot-boxes nor the voting-shelves or compartments shall be hidden from view of those just outside the said guard-rail. No person other than the warden or moderator, as the case may be, clerks, supervisors, and voters admitted as hereinafter provided, shall be permitted within said rail except by authority of the said warden or moderator for the purpose of keeping order and enforcing the law. Each voting-shelf or compartment shall be kept provided, by the city, town, ward, and district clerks, with proper pencils for marking the ballots, which pencils shall be by the supervisors kept in condition for use; but all pencils furnished for said purpose in any election shall, in each voting-district, be such as will mark a uniform color, and in marking his ballot no voter shall use a pencil marking a different color.

#### MANNER OF VOTING.

SEC. 42 Any person desiring to vote shall give his name, and, if requested so to do, his residence, to one of the supervisors, who shall thereupon announce the same in a loud and distinct tone of voice, clear and audible, and if such name is found upon the voting-list the supervisor in charge of the voting-list shall repeat the said name in the same manner, and the voter shall be allowed to enter the space enclosed by the guard-rail as above provided. The supervisor shall give him one, and only one, ballot of each kind that he is entitled to vote, and his name shall be immediately checked on the supervisor's list. Besides

Ballot is to be  
obtained from  
supervisor.

the election-officers, not more than four voters in excess of the number of voting-shelves or compartments provided shall be allowed in said enclosed space at one time. No supervisor shall put any mark upon any ballot, except as provided in section forty-five of this chapter. No supervisor, except as provided in section forty-five of this chapter, and no other person, when within said enclosed space, shall witness, or attempt to witness, the marking by any voter of his ballot.

Preparation of  
ballot by voter,  
and manner of  
marking same.  
Pub. Laws,  
1229, Sec. 6,  
April 26, 1905.  
17 R. I. 812.  
18 R. I. 822.

SEC. 43. On receipt of his ballot from the proper election-officer, the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting-shelves or compartments so provided, and shall prepare his ballot as follows: If he desires to vote for all the candidates of one political party he shall place a cross (X) within the circle above the name or designation of that party. In case he desires to vote for a candidate whose name is not printed under the circle in which he has marked, he shall cancel the name of the candidate in such column for whom he refuses to vote, by drawing a line through such name, and shall vote for the candidate of his choice by marking a cross (X) in the square opposite the name of the candidate of his choice, or by writing in the right-hand column prepared for that purpose, under the proper title of the office, the name of the person for whom he desires to vote. In such case the vote shall be counted for the candidate against whose name a cross has been so marked, or whose name has been so inserted in the right-hand column, and such ballot shall not be counted for the candidate for the same office whose name is cancelled. When a voter has placed a cross (X) in any one circle, and has not made any mark in any other circle, such cross (X) shall be counted as a vote for each of the candidates in the column above which it is placed, except for those candidates whose names have been cancelled.

A cross in the square opposite the names of candidates for electors of president and vice-president shall be counted as a

vote for each. The voter may omit to mark in any circle, and may vote for the candidates of his choice by making a cross (X) in the square opposite their names, or he may insert the names of persons for whom he desires to vote, in the blank or right-hand column, under the proper title of office, and such votes shall be counted. If a voter desires to vote upon a question submitted to the vote of the electors of the state or of any city or town, he shall mark in the appropriate square a cross (X) against the answer which he desires to give in addition to the cross made in any circle or square at the right of any candidate's name. Where a voter makes a cross (X) within the circle at the top of any column and also cancels a name in the column under such marked circle, but does not mark a cross (X) within the voting-square at the right of any name of a candidate for the same office in any other column, and fails to write in a name in the right-hand column in the space provided for a name to be written in for such office, said ballot shall be considered blank for such office.

Before leaving the voting-shelf or compartment, the voter shall fold his ballot, without displaying the marks thereon, in the same way it was folded when received by him, and he shall keep the same so folded until he has voted. He shall vote in the manner provided by law before leaving the enclosed space, and shall deposit in the ballot-box his ballot with the official endorsement so that it may be seen by the warden or moderator, and the clerk shall check his name on the voting-list. He shall mark and deposit his ballot without undue delay, and shall quit said enclosed space as soon as he has voted. Not more than one person shall be permitted to occupy any voting-shelf or compartment at the same time, and no person shall remain in, or occupy, a voting-shelf or compartment longer than may be necessary to prepare his ballot, and in no case longer than five minutes. No voter, not an election officer, whose name has been checked on the list of the supervisors shall be allowed to

re-enter said enclosed space during said election. It shall be the duty of the warden or moderator to secure the observance of the provisions of this section.

Ballots not  
voted to be re-  
turned to super-  
visor.

SEC. 44. Every person who does not vote a ballot delivered to him by a supervisor of election shall, before leaving the enclosed space, return such ballot to the supervisor, and no person shall take or remove any ballot from the polling-place before the close of the polls. It shall be the duty of the warden or moderator, and of the supervisor or officer having charge of the exit, to prevent any voter from leaving the enclosed space until such voter has deposited his ballot or ballots, or has returned his unused ballot or ballots, as herein provided. If any voter inadvertently spoils a ballot, he may obtain another upon returning the spoiled one and satisfying the officer of the fact of the inadvertence. The ballots thus returned shall be immediately cancelled, and, together with those not distributed to the voters, shall be preserved and, with the voting-list used by the supervisors, which shall be certified by them to be such, shall be securely wrapped, sealed, and delivered to the several city and town clerks by the supervisors.

Voter unable to  
mark his ballot,  
may be as-  
sisted.

SEC. 45. Any voter who declares to the warden or moderator that he cannot read the ballot, or that by blindness or other physical disability he is unable to mark his ballot, shall, at the request of the warden or moderator, receive the assistance of two of the supervisors, one a democrat and the other a republican, in the marking thereof, and such supervisors shall thereafter give no information regarding the same. The warden or moderator may, in his discretion, require such declaration of disability to be made by the voter under oath before him, and he is hereby authorized and qualified to administer the same.

Counting of  
ballots.  
17 R. I. 825.  
24 R. I. 269.  
25 R. I. 521.  
Pub. Laws,  
1229, Sec. 7,  
April 26, 1905.

SEC. 46. If for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office, but it shall be counted for all offices properly marked. No ballot shall be rejected for any technical

error which does not make it impossible to determine the voter's choice, but no voter shall place any mark upon his ballot by which it may be afterwards identified as the one voted by him. One line crossing another at any angle within the circle or any voting-square, or at the right of any name, shall be deemed a valid voting-mark. To cancel a name within the meaning of this chapter the voter shall draw a pencil mark through the full name. A cross (X) marked in a voting-square at the right of any name in a column above which the circle is marked shall be treated as surplusage, and the ballot shall not be deemed invalidated. No ballot without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot-box, and none but ballots provided in accordance with the provisions of this chapter shall be counted. Ballots not counted shall be marked "Defective" on the back thereof, and shall be preserved and returned with the other ballots: *Provided*, that in case no ballots are provided at any voting-place in accordance with the foregoing provisions of this chapter, or in case no such ballots are at the polls and ready for the use of voters, the voters at such voting-place may use any ballot and provide themselves therewith.

Of defective  
ballots.

SEC. 47. In all towns having less than five hundred electors, the polls shall be kept open for at least three hours; and in towns having more than five hundred electors, the polls shall be kept open for at least five hours; and no other business shall be transacted while the polls are open. This section applies only to elections mentioned in section three of this chapter.

Polls to be kept  
open, how long.  
No other busi-  
ness to be  
transacted.  
This section  
applies to town  
elections only.

#### PENALTIES.

SEC. 48. A voter who shall, except as herein otherwise provided, allow his ballot to be seen by any person with an apparent intention of letting it be known how he is about to vote, or who shall make any mark upon his ballot by which the

Penalty for  
violations of  
this chapter  
with regard to  
preparation of  
the ballot.

same may be identified as the one voted by him, or who shall make a false statement as to his inability to mark his ballot, or any person who shall interfere or attempt to interfere with any voter when inside said enclosed space or when marking his ballot, or who shall endeavor to induce any voter before voting to show how he marks or has marked his ballot, shall be punished by a fine of not less than five nor more than one hundred dollars; and election-officers shall report any person so doing to any police officer on duty at the polls, whose duty it shall be to see that the offender is duly brought before the proper court.

Offenders to be  
prosecuted.  
Penalty for  
violations of  
this chapter.

SEC. 49. Any person who shall be found in possession of any official ballot previous to or during an election, except as provided in this chapter, or who shall, previous to an election, willfully deface or destroy any list of candidates posted in accordance with the provisions of this chapter, or who, not having voted a ballot delivered to him by a supervisor of election, shall neglect or refuse to return such ballot to the supervisor before leaving said enclosed space, or who takes or removes, or attempts to take or remove, any ballot from the polling-place before the closing of the polls, or who, during an election, shall willfully deface, tear down, remove, destroy, or mark, any instruction-sheet or specimen-ballot printed or posted for the instruction of voters, or who shall, during an election, willfully remove or destroy any of the supplies or conveniences furnished to enable a voter to prepare his ballot, or shall willfully hinder the voting of others, shall be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

with regard to  
the election  
generally.  
Penalty for  
fraudulent in-  
terference with  
election papers,  
ballots, etc.  
Pub. Laws,  
1229, Sec. 8,  
April 26, 1905.

SEC. 50. Any person who shall falsely make, or willfully deface or destroy, any certificate of nomination or nomination-paper, or any part thereof, or any letter of withdrawal, or file any certificate of nomination or nomination-paper or letter of withdrawal, knowing the same or any part thereof to be falsely

made, or suppress any certificate of nomination or nomination-paper or letter of withdrawal, or any part thereof, which has been duly filed, or forge or falsely make the official endorsement on any ballot, or willfully destroy or deface any ballot, or willfully delay the delivery of any ballots, and any person or persons who shall print, stamp, or affix, or cause to be printed, stamped or affixed, upon any letter-head, circular, or pamphlet used for political purposes, or upon political literature of any nature, a representation of the chosen emblem or device of any political party in this state without the consent in writing first had and obtained of the chairman of the state central committee of the political party whose chosen emblem or device is sought to be used for such purposes, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 51. Any public officer upon whom a duty is imposed by this chapter, who shall willfully neglect to perform such duty, or who shall perform it in such a way as to hinder the objects of this chapter, shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Penalty for the non-performance of official duty.

#### ADJOURNED OR SECONDARY ELECTIONS.

SEC. 52. The provisions of this chapter shall apply in case of an adjourned or second or other subsequent election in any city or town, for any officer whose election is provided for in and by this chapter. In the case of such elections for officers mentioned in section one of this chapter it shall be the duty of the secretary of state to procure and furnish ballots in the form of the ballots provided for in this chapter, with the names of the candidates to be voted for arranged thereon according to the provisions of this chapter. In the case of such elections for officers mentioned in sections two and three of this chapter it shall be the duty of the clerk of such city or town to procure and furnish such ballots.

Ballots for secondary elections furnished by whom. Pub. Laws, 1229, Sec. 9, April 26, 1905.

Ballots for secondary elections to be folded, and put up in packages.

SEC. 53. The ballots when printed for such adjourned or subsequent election shall be folded as is provided in this chapter, and shall be put up in packages of one hundred each. A record of the number of ballots printed and furnished to each voting-place shall be kept and preserved by such city or town clerk.

To be provided, in what number.

Pub. Laws, 1229, Sec. 10, April 26, 1905.

SEC. 54. There shall be provided for each voting-place at which an election is to be held, not less than sixty ballots for every fifty and every fraction of fifty qualified voters therein.

Supervisors of primary elections to act at secondary elections.

SEC. 55. The same supervisors of election who acted at the first election shall act at such second or adjourned or other subsequent election, and shall have and exercise the same powers and duties at such second or adjourned or other subsequent election as are prescribed in this chapter for them to have and exercise at said first election; and upon the receipt of such ballots the warden or moderator shall cause said ballots to be used at such election, and the supervisors shall perform the same duties as in the first election.

#### ACCEPTANCE BY TOWNS FOR TOWN ELECTIONS.

This chapter applies to town elections, in what towns.

SEC. 56. The provisions of this chapter shall also apply to all elections by the people hereafter held in the towns of Cumberland and East Providence, and in every town which has accepted and adopted the provisions of chapter nine hundred twenty of the public laws, passed at the January session in the year eighteen hundred ninety-one, and of the general laws in effect February one, eighteen hundred ninety-six.

Towns may vote to adopt the provisions of this chapter for town elections.

Pub. Laws, 808, Jan. 23, 1901.

SEC. 57. If at least one-tenth in number of the qualified electors in any town, not including cities, shall, twenty days previous to any general election of state officers on the Tuesday next after the first Monday in November of any year, file with the town clerk of such town a petition that the electors may at such general election cast their ballots for or against accepting the provisions of this chapter so far as the same apply to the



elections mentioned in section three of this chapter such town clerk shall give notice of the same in his warrant calling the town or district meetings and shall at least eighteen days previous to the day of such election file with the secretary of state a certificate that the question "Shall the town accept the secret ballot law for towns?" is to be submitted to the vote of the electors in said town. If a majority of the ballots so cast shall be in favor of accepting the provisions of this chapter so far as the same apply as aforesaid, then the said provisions of this chapter shall be in effect in such town; but if a majority of the ballots so cast shall be against accepting the provisions of this chapter, then the said provisions of this chapter shall not take effect in said town.

SEC. 58. Electors of this state who, in time of war, are absent from the state in the actual military service of the United States, being otherwise qualified, shall have a right to vote in all elections in the state for electors of president and vice-president of the United States, representatives in congress and general officers of the state, in the following manner: every such absent elector on the day of any such election may deliver a written or printed ballot with the names of the persons voted for thereon, and his full christian and surname, and his voting residence in the state by street and number, written at length on the back thereof, to the officer commanding the regiment or company to which he belongs; and all such ballots, certified by such commanding officer to have been given by the electors whose names are written thereon, shall be by such commanding officer forthwith sealed up, properly endorsed, and returned to the secretary of state, to be by him safely kept and delivered to the returning-board having jurisdiction to determine the result of said election.

Electors of this state absent therefrom, in time of war, being in military service of United States, may vote for certain officers. Pub. Laws, 584, June 15, 1898.  
Manner of so doing.

SEC. 59. Upon completion of the final canvass for any such election, the clerks of the several boards of canvassers throughout the state, in time of war, shall forthwith certify, seal up and

Duties of board of canvassers.

transmit a certified copy of the voting-lists so canvassed to the secretary of state, to be by him kept and delivered to the proper returning-board.

Duties of re-  
turning-boards.

SEC. 60. Said returning-boards respectively within the time prescribed by law for counting the ballots cast in such elections, upon receipt of the ballots and certified copies of the voting-lists aforesaid, shall compare the names and residences of the electors endorsed upon the backs of said ballots with the names and residences of the electors contained in the voting-lists aforesaid from the voting-district, ward or town in which the elector purports to be qualified, checking in such voting-lists the names of such electors as shall appear upon said ballots, and shall count such ballots with the same effect as if such ballots had been given by said electors in open town, ward or district meetings at any such election within this state: *Provided, however,* that said boards shall not count any such ballot cast by any person whose name does not appear upon said lists, nor any ballots not received by said boards within the time prescribed by law for counting the ballots cast in any such election.

Secretary of  
state to send  
certified copies  
of Sections 58  
to 61, inclusive,  
to certain com-  
missioned  
officers in ser-  
vice of United  
States, town  
clerks, etc.

SEC. 61. At least sixty days before any such election whose date is fixed by law, and forthwith upon the ordering of any special election of representatives in congress, the secretary of state, in time of war, shall send to the several city and town clerks, except to the city clerk of Providence, and to the clerks of the board of canvassers and registration of the cities of Providence and Pawtucket a certified copy of sections fifty-eight to sixty-one, inclusive, of this chapter, and shall send to each commissioned officer of every company enlisted in this state in the military service of the United States such certified copy, together with a form of the requirements to be signed by said electors on the back of said ballots, and a form of certificate and endorsement on the package containing the same to be signed by such commanding officer as aforesaid, and such other instructions as he may think proper.

Instructions,  
forms, etc., to  
be sent to said  
commissioned  
officers.

## CHAPTER 12.

OF THE HOLDING OF CAUCUSES IN THE CITIES OF PROVIDENCE,  
NEWPORT, AND PAWTUCKET.

Pub. Laws, Ch.  
1078, Dec. 12,  
1902.  
27 R. I. 356.

SECTION 1. (As amended by Section 23, Chapter 640, Public Laws.) In the cities of Providence, Newport, Pawtucket, and Central Falls, the caucuses of all political parties shall be held in accordance with the provisions of this chapter, and such provisions shall apply only in said cities. For the purposes of this chapter, a political party is hereby defined to be one which at the next preceding annual election of state officers cast for its candidate for governor at least two per centum of all the votes cast in the state for that office. Caucus and convention nominations shall be made only by political parties.

Holding of caucuses in Providence, Newport, Pawtucket, and Central Falls.

SEC. 2. (As amended by Section 24, Chapter 640, Public Laws.) The qualified electors of each political party in each ward of said cities shall annually, at the caucus held in each ward of said cities to elect delegates to a convention to nominate the mayor and other city officers, elect a ward committee for each ward of said cities: *Provided*, that in the city of Newport such ward committee shall be annually elected at a caucus held in each ward thereof after the second Thursday next after the first Monday in September.

Method of electing ward and city committees, powers and duties thereof.

The members of the several ward committees of each city of the same political party shall constitute the city committee of such political party for that city. Each city committee shall within ten days after its organization file with the secretary of state a list of its officers and members. In Newport and Central Falls such list shall also be filed with the city clerk, and in the cities of Providence and Pawtucket, with the boards of canvassers and registration.

The general management of the affairs of each political party in each city shall be vested in its city committee, subject to the

rules and regulations which the state committee of such political party shall make. Any vacancy occurring in any of the offices of a city committee shall be filled by such committee, and any vacancy occurring in the membership of a ward committee shall be filled by the remaining members of such ward committee. A statement of such action of any committee shall be filed as in the case of officers and members first chosen. Ward and city committees shall hold office, respectively, from the date of their election until the next annual election of such committees and thereafter until their successors shall have organized. City committees may make regulations, not inconsistent with law, to determine membership in the party so far as the right is concerned to participate in the caucuses of which they have the management and control, and to restrain those not entitled to vote at caucuses called by them from taking part therein, and such regulations shall be furnished to and shall govern the officers by this chapter charged with the duty of preparing caucus voting-lists in the preparation of such lists, so far as they are not inconsistent with this chapter. Each ward committee shall attend the caucuses of the party to which it belongs, held in the ward from which it was elected, to perform the duties herein imposed upon it.

Call for caucuses, how to be issued and what to contain.

SEC. 3. (As amended by Section 25, Chapter 640, Public Laws.) All caucuses in said cities shall be held at the call of the city committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held. It shall state the places where such caucuses are to be held, the hour of holding the same, the time during which the polls are to open, and the business to be transacted thereat, and shall be published at least twice in one or more newspapers published in the city in which such caucus shall be held, or in some newspaper having general circulation therein. No two political parties shall hold their caucuses on the same day.

SEC. 4. (As amended by Section 26, Chapter 640, Public Laws.) At least ten days previous to the date on which a political party desires to hold its caucuses in any city, the chairman of the city committee of such political party shall, in the cities of Newport and Central Falls, notify in writing the city clerk, and in the cities of Providence and Pawtucket, the board or canvassers and registration, of the date selected for such caucuses, and the political party first making such selection and notification for a certain date shall be entitled to hold its caucuses on that date, if such date is one on which caucuses may be lawfully held. If such date is one previously so selected and notified by some other political party, or is one on which caucuses may not be lawfully held, such chairman shall be immediately notified in writing of the fact by the city clerk, or board of canvassers and registration, as the case may be, and such chairman shall select and make notification of another date. It shall be the duty of said city clerks and said boards of canvassers and registration, in and at the expense of their respective cities, to provide a polling-place in each representative-district for the caucus of such representative-district, and in each ward for the caucus of such ward, and to notify in writing such chairman as to the place so provided, at least seven days prior to the date of such caucuses.

City clerks of Newport and Central Falls and boards of canvassers of Pawtucket and Providence to be notified of date of caucus and to furnish polling-places therefor.

SEC. 5. No caucus except a caucus adjourned under the provisions of section fourteen of this chapter, shall be held within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificate of the nominations of such caucus, nor shall any political party hold caucuses on successive days. All caucuses excepting those necessary for a special election shall be held after the second Thursday next after the first Monday in September of each year, and all caucuses for the nomination of candidates for the city council of either of said cities excepting those necessary for a special election shall be held within twenty-five days of the Tuesday next after the

Caucuses, when to be held.

first Monday in November in each year. Caucuses necessary for a special election shall be held not more than ten days before nor within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificates of the nominations of such caucuses.

Caucus officers  
to be selected  
by city com-  
mittee.

SEC. 6. (As amended by Section 27, Chapter 640, Public Laws.) In said cities the city committee of each political party shall, at least two days prior to holding the first caucus next after the first Monday in September, appoint a caucus moderator for each representative-district, and a caucus clerk for each voting-district therein and a caucus warden for each ward, and a caucus clerk for each voting-district therein. Each of said moderators or wardens shall be a qualified elector of the representative-district or ward for which he is appointed, and each of said clerks shall be a qualified elector of the voting-district for which he is appointed and a member of such political party. Said committees shall respectively fill all vacancies which occur in such offices from any cause, including that of removal from the ward or representative-district, or voting-district, and as hereinafter provided.

Each committee making such appointment shall file with the boards of canvassers and registration in the cities of Providence and Pawtucket, respectively, and in each of the other cities with the city clerk, at least one day previous to the date selected by its party for holding any caucus, the names of the persons appointed by them caucus officers as aforesaid; and all caucus officers so appointed shall hold office until the first day of January next succeeding their appointment and thereafter until their successors are appointed, and shall have the same powers and duties, in the conduct of caucuses, as are conferred and imposed by law upon similar officers of elective meetings.

In case of a change of the lines of a representative-district or of a ward in any of said cities, or of a redivision of any representative-district thereof into voting-districts, the city com-

mittee of each political party thereof may revoke such appointments by them respectively made in the case of all caucus moderators, wardens, and clerks who by reason of such change or redivision become ineligible to serve on account of residence, and appoint others in their stead, and the city committee of each political party shall appoint a caucus moderator, and in each new representative-district or voting-district so created, if necessary, the city committee of each political party shall appoint a caucus warden and caucus clerk in each new representative-district or voting-district so created.

SEC. 7. (As amended by Section 28, Chapter 640, Public Laws.) The caucus moderator or warden appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat. Each caucus clerk shall check the voting-list of the district in which he is appointed to serve. In case a caucus moderator or warden is absent at the time at which the caucus has been called, or in case a caucus moderator or warden becomes incapacitated during the holding of the caucus, the ward committee, or a majority of the members thereof present at such caucus, shall appoint a qualified elector of such party residing in the representative-district as caucus moderator, or a qualified elector residing in the ward as caucus warden, for such caucus. If no member of the ward committee is present, the clerk of the first district in such representative-district or ward, or, in case of his absence or incapacity, then of the district clerks present the one next in numerical order of the districts, shall call the meeting to order, and the electors present shall elect some qualified person as caucus moderator or warden of such caucus. In case a caucus clerk is absent at the time at which the caucus has been called, or in case a caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the ward committee of such ward, or such majority thereof, shall appoint some qualified elector of the representative-district or ward, respectively, as

Duties of  
caucus officers.

Hours during  
which caucus  
must remain  
open.

such caucus clerk. If no member of the ward committee is present the caucus moderator or warden shall appoint some qualified elector as aforesaid as caucus clerk. All caucuses shall be called to order at seven o'clock P. M. The polls shall be opened at or before seven-thirty o'clock P. M. and the ballot-boxes shall be opened and the interior thereof exposed to the view of all present by the warden before any ballots are cast. Any necessary business not finished at seven-thirty P. M. shall be postponed until after the polls are closed and the result of the balloting announced. The polls shall be kept open until ten o'clock P. M. and no longer. Except for the filling of vacancies in the office of caucus moderator or warden and caucus clerk, as hereinbefore provided in this section, a ballot shall be required for the choice of all candidates for elective offices, for delegates to conventions, and for members of ward committees, to be elected by such caucus. All ballots shall be printed or written on white paper, and no tissue paper shall be used for any caucus ballot. The names of all candidates for which any elector shall vote at any caucus shall be written or printed upon one ballot.

Form of  
caucus ballot.

Who may take  
part in caucus.  
26 R. I. 474.  
27 R. I. 361.

SEC. 8. No person shall be entitled to vote or take part in the caucus of any political party who within fourteen calendar months has voted or taken part in the caucus of any other political party, or has signed nomination-papers of a candidate or candidates for any elective officer, or has voted in any election for the candidates of any other political party or for candidates placed in nomination by nomination-papers, or is debarred from so voting or taking part by the regulations of such party provided for in section two of this chapter. No person who has voted in the caucus of any political party shall be eligible to sign any nomination-paper containing nominations of candidates, within fourteen calendar months thereafter.

Voting-lists  
used, by whom  
to be prepared.

SEC. 9. The city clerk of Newport and the board of canvassers and registration of Providence and Pawtucket shall



prepare the voting-lists for use at all caucuses held in their respective cities. A voting-list shall be prepared for each voting-district and for each ward not divided into voting-districts. At all caucuses the voting-lists as last published or canvassed according to law by the boards of canvassers of such cities shall be used, corrected as hereinafter provided. The board of canvassers in each of said cities shall hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November in each year, and also on a day not more than five days prior to the earliest day lawfully selected by any political party for the holding of caucuses made necessary by a special election to fill a vacancy in the city council in such city, to canvass and correct the voting-lists of electors qualified, and who may be qualified by the payment of a tax, to vote for members of the city council. Notice of said canvass meetings shall be given in such manner as such boards of canvassers shall respectively prescribe.

SEC. 10. In preparing caucus voting-lists for the caucuses of any political party there shall be stricken from the lists specified in section nine of this chapter the names of all persons shown by the nomination-papers, or copies thereof, and used caucus voting-lists in the possession of the city clerks, to be debarred from voting in such caucuses by the provisions of section eight of this chapter, or who are shown by the regulations of such political party to be not entitled to vote in its caucuses. Each such list shall be endorsed with the name of such political party, and shall be certified by such city clerk or board of canvassers and registration, as the case may be. Same subject.

SEC. 11. The city clerk in Newport and the board of canvassers and registration in Providence and Pawtucket are hereby authorized and required to furnish, at the expense of their respective cities, suitable ballot-boxes, blank forms or certificates and returns, and other election stationery, for each polling-place at which any caucus is held, and to cause the voting-lists Ballot-boxes and supplies.

prepared as aforesaid to be delivered at each such polling-place to the caucus warden, prior to the hour of seven o'clock in the evening of the day on which any such caucus is to be held; and it is hereby made the duty of the chiefs of police of said cities to detail such number of police officers to each such polling-place, for the preservation of order, and to deliver the voting-lists aforesaid, as may be requested by said city clerk of Newport and said board of canvassers and registration of Providence and Pawtucket.

Caucus warden  
to receive bal-  
lots.

SEC. 12. The caucus warden shall receive the ballots of all persons whose names are upon the lists certified and furnished to him, and shall reject the ballots of all other persons.

Caucus vote,  
how counted;  
plurality to  
elect.

SEC. 13. Immediately on the closing of the polls the caucus warden and clerks shall in open caucus proceed to count the ballots cast in the presence of such representatives as may be appointed in writing, one by each candidate voted for at said caucus; and each candidate receiving a plurality of the ballots cast for the office for which he was a candidate shall be declared by the caucus warden to be elected or nominated, as the case may be. The ballots and voting-lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting, substantially in form required by law in the case of elective meetings, and shall be forthwith delivered in person by the caucus clerk of the first voting-district in each ward to the city clerk in the city of Newport, and in the cities of Providence and Pawtucket to the board of canvassers and registration.

Return of bal-  
lots and vot-  
ing-lists.

In case of tie  
vote, what ac-  
tion to be  
taken.

27 R. I. 356.

SEC. 14. In case at any caucus a majority of a delegation to any convention, or of any ward committee, are not elected, or in case of a tie vote for any candidate for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by the caucus warden, but not to any day at which a caucus of any political party has been called. In case of a tie vote for a smaller number than a majority of the delegates to a convention, or of the members of a ward committee, the elected

members of the delegation or of the committee shall fill the vacancies so caused and make notification of their action to the person or officer entitled to receive the same. In all cases the delegates to a convention shall have power to fill vacancies in their number appearing at the hour of the meeting of such convention.

SEC. 15. The warden of every caucus shall, within twenty-four hours after said caucus is held, deliver or send to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a certificate of his nomination, and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably filed in the proper public office, unless proceedings for recount of the ballots cast at such caucus are inaugurated conformably to the provisions of section sixteen of this chapter, in which case he shall not deliver, send, or cause to be filed any such certificates. Upon each check-list used at such caucus the clerk checking such list shall make a return under oath that the said check-list is the identical one used in the caucus of the political party for which it was furnished, and that the names checked were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon.

Certificates of election or nomination, by warden.

Verification of check-list by clerk.

SEC. 16. If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this chapter a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee shall serve upon the city clerk of Newport and in the cities of Providence and Pawtucket, the board of canvassers and registration, a statement in writing that the records and returns made by the caucus officers, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election or nomination by said caucus for the peti-

Recount of vote on proper application and within time limit.

Notice of re-  
count.

tioner, and petitioning for a recount of such ballots by the board of canvassers in Newport or the board of canvassers and registration in Providence and Pawtucket, such city clerk or board of canvassers and registration shall retain all the ballots cast at such caucus until such claim is withdrawn or the contest for the nomination or election is fully determined, as hereinafter provided. The city clerk upon whom such statement is served shall forthwith notify the members of the board of canvassers of his city of the filing of such petition, and it shall be the duty of said board of canvassers to forthwith convene, and to cause notice in writing to be served, in such manner as said board of canvassers shall direct, upon all other candidates for the same office receiving votes at said caucus, at the expense of the petitioner, of the filing of such petitions for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours, exclusive of Sundays and legal holidays, from the time of ordering such notice. At the time specified by said board of canvassers said city clerk shall transmit to such board all the ballots cast at such caucus and the voting-list used thereat. In the cities of Providence and Pawtucket like proceedings shall be observed by the board of canvassers and registration, at the expense of the petitioner, and at the appointed time and place said board of canvassers or board of canvassers and registration shall proceed to recount said ballots and to hear and determine all questions raised for or against the counting of the same or of any thereof, and shall declare, as the result of such recount and determination, what persons, if any, were lawfully elected or nominated at such caucus. Such declaration shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with a certificate of such recount and determination made and filed with him by said board, which certificate shall be deemed to be

Method of re-  
count and  
hearing there-  
on.

Recount to be  
conclusive, and  
official ballots  
to be prepared  
accordingly.

made and filed as of the day of holding such caucus. Said board shall also furnish to each delegate and member of a committee, so declared to be elected, a certificate of his election. Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

Candidates may be present at recount.

SEC. 17. The city clerk of Newport and the board of canvassers and registration of the cities of Providence and Pawtucket shall retain under seal for the period of fourteen calendar months all of the voting-lists returned to them under the provisions of this chapter: *Provided*, that such lists may be unsealed for use in the proceedings provided for in sections ten and sixteen of this chapter, after which they shall be immediately resealed, and that the city clerk of Newport or the board of canvassers and registration in Providence or of Pawtucket, after a check-list has been used at a caucus of a political party held under the provisions of this chapter, upon written application for a copy of the list as checked, signed by any qualified elector in the city where such list was used, and upon payment or tender of the fees provided by law therefor, may unseal and open the wrapper containing such check-list, and shall furnish to such applicant a certified copy of the list as checked, and shall then reseat the same.

City officials to retain under seal all used voting-lists for what period.

Lists may be unsealed, when.

SEC. 18. Every public officer or officer of a political party who shall willfully violate any of the provisions of this chapter, or shall refuse, or willfully neglect and omit, to perform, in the manner and within the time prescribed, any duty imposed upon him by this chapter, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceeding thirty days, or both. Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote, or votes or attempts to vote upon any other name than his own, or votes or attempts to vote more than once upon his own name, or deposits or attempts to deposit more than one

Penalties.  
27 R. I. 356.

ballot for any candidate for any elective office or delegate to any convention or member of any political committee at the same balloting, or at any caucus gives a false answer to any caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days. Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid at the same balloting, shall be punished by imprisonment in jail not exceeding thirty days. Whoever willfully alters, or willfully makes any change, erasure, or additional check upon the voting-list used or to be used at a caucus, or, having custody or control of such voting-list, shall suffer or permit any alteration, change, erasure, or additional check to be made upon such voting-list, shall be punished by imprisonment in jail not exceeding sixty days. Excepting otherwise herein provided, the penalties imposed by law upon election and other officers and voters who violate the provisions of law regulating elective meetings are hereby imposed upon the same and like caucus and other officers and voters for the same and like violations of this chapter.

Arrest without  
warrant.  
27 R. I. 356.

SEC. 19. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this chapter.

Secretary of  
state to furnish  
copies of cer-  
tain nomina-  
tion papers.

SEC. 20. The secretary of state shall make and send to the city clerk of each of said cities, copies of all nomination-papers filed with him which contain the names of electors of such city.

## CHAPTER 13.

Pub. Laws. Ch.  
1349, April 19,  
1906.

OF THE USE OF VOTING-MACHINES AT STATE, CITY AND TOWN  
ELECTIONS.

SECTION 1. The use at any state, city, or town election of voting-machines of such type or make as shall have been examined and approved by the state returning-board is hereby authorized under the restrictions provided in this chapter.

Voting-machines, use of authorized at elections.

SEC. 2. In this chapter, unless the context otherwise requires:

Terms used in this chapter defined.

The term "state election" shall mean any election at which any of the officers named in section one of chapter eleven are to be chosen, or any elective meeting at which a question or an amendment to the constitution is submitted to the electors of the state;

The term "town election" shall include city election, and shall mean any election at which any city, town, ward, or district officers are to be chosen, or any elective meeting at which a question is to be submitted to the voters of a city or town or of any subdivision thereof;

The term "party" shall mean any political organization or group of citizens making nominations in accordance with the provisions of sections four to twenty-three, inclusive, of chapter eleven.

The term "question" shall mean any question submitted to the voters of any city or town or of any subdivision thereof, or any question or amendment to the constitution submitted to the voters of the state;

The term "town" shall include city, and the term "town clerk" or "clerk of the town" shall include city clerk;

The term "moderator" shall include warden and the presiding officer of any voting-place;

The term "machine," when used in sections five to twenty-three, inclusive, of this chapter, shall mean any voting-machine of a type or make approved by the state returning-board;

The term "device" shall mean the lever, knob, button, or other mechanical contrivance connected with the face-plate of a voting-machine, by which the voter shall register his vote;

The term "face-plate" shall mean that portion of the voting-machine facing the voter as he enters to vote, upon which are arranged and displayed the devices by which he is to register his vote;

The term "counter" shall mean the numbered wheels, dials, or other mechanism of a voting-machine whereby the votes for each candidate and upon each question are indicated, recorded, and counted; and the term "protective counter" shall mean a separate counter registering 999,999, which cannot be reset, and which records the total number of movements of the operating lever.

State return-  
ing-board to ex-  
amine voting-  
machines,  
when.

SEC. 3. Whenever requested by any person representing any type or make of voting-machine which in the opinion of the state returning-board will probably comply with the provisions of this chapter, said board shall examine such machine, and if satisfied as to the durability, accuracy, efficiency, and capacity of such machine, and that it does comply with the requirements of this chapter, said board shall approve such type or make of machine, and shall certify such approval to the secretary of state, together with the report, drawings, and photographs, which shall be a public record, and thereafter such type or make of machine may be used as provided in this chapter. In making such examination said board may employ mechanical experts to assist it, and the expense of the services of such experts, not exceeding two hundred dollars, shall be paid, by the person or persons offering such machine for examination, before such examination is had, and such mechanical experts shall sign the certificate of approval filed by said board with the secretary of



state under this section: *Provided, however,* that no type or make of machine shall be used at any state or town election until such machine shall have been approved by said board.

The state returning-board shall also pass upon and approve suitable printed and illustrated instructions furnished by the manufacturers of any machines approved by said board, and when such instructions are so approved they shall be filed with the secretary of state, who shall issue copies of the same to the city and town officials and other officers of election for their guidance in preparing the machines for election, and such instructions shall be binding upon the custodian and other officials concerned thereby.

Said board to approve instruction-sheets furnished by manufacturers of machines.

SEC. 4. Every type or make of voting-machine approved by the state returning-board must meet the following requirements:

Requirements to be met by machines.

It must permit a voter to vote in absolute secrecy, by means of a mechanical device, for all the candidates for whom he is entitled to vote, at any election at which such machine is to be used;

It must also permit a voter to vote for or against all questions upon which he is entitled to vote, at any election at which such machine is to be used;

It must provide one such device for each candidate and also party devices whereby a voter may vote for all the candidates of any party of his choice by one operation, and such party devices must be capable of being locked out of operation without interfering with the voting for candidates individually;

It must permit a voter to vote for candidates for electors of president and vice-president of the United States individually, or by means of a single device to vote for the entire group of such candidates nominated by any party;

It must provide a means whereby a voter can vote for any person for any office, although such person may not be a candidate for such office;

It must be so constructed that a voter cannot vote twice for any one candidate for the same office, and cannot vote for more than one person for the same office except where a voter is lawfully entitled to so vote, and cannot vote for more persons than he is entitled to vote for;

It must be so constructed that a voter can change his vote for any of the candidates on any of the voting-devices up to the time he is ready to register his vote;

It must be capable of being used for state and town elections at the same time, when both elections are held on the same day;

It must be fitted with a face-plate to which each device can be affixed and accurately labeled so as to show clearly and distinctly the office, the name and address of the candidate, and the party which such device represents; and in the case of each party device, so that such device can show the party emblem provided by section twenty-four of chapter eleven. Such face-plate shall be of such size, and so constructed, as to permit of the arrangement thereon of each device and its label, in perpendicular party columns or parallel party rows, and such face-plate must be ample in size to accommodate at least seven different party columns or rows and at least seven different questions;

It must correctly register, by means of mechanical counters, the number of voters by whom it is used, and every vote cast for each candidate and upon each question, and it must be capable of being so closed during the time the polls are open that no person can see or know the number of votes registered for any candidate, person, or question. Such counters shall be so attached to the machine that by means of labels or numbers they can be clearly identified with the devices on the face-plate by which they are operated;

It must be provided with a lock or locks by means of which the operation of the devices and the movement of the voting, counting and registering mechanism may be absolutely pre-

vented and prohibited, whenever such prevention and prohibition is required by law.

Any machine that does not conform in all respects to the foregoing requirements shall not be approved by the state returning-board.

SEC. 5. Whenever the general assembly shall make an appropriation for the purchase of machines, the secretary of state shall by advertisement in the newspapers invite bids for the furnishing of such type or make of machine as has been approved by the state returning-board, and upon receipt of satisfactory bids he shall have authority to contract for the furnishing of the machines in such manner and at such times as he may deem necessary, providing, however, that no such contract shall be binding until approved by the governor and the attorney-general and until the secretary of state shall receive a bond, in such sum and with such sureties as shall be approved by the governor and the attorney-general, for the faithful performance of the terms of such contract. All machines purchased under any such contract shall be paid for from the aforementioned appropriation, and the state auditor shall draw his order or orders for the payment therefor, upon receipt of vouchers approved by the secretary of state and the governor. The secretary of state may employ a mechanical expert to examine all machines purchased by him at the time of their delivery, and to instruct the town and city officers, to whose care and custody the machines are committed, in the use and operation thereof. Such expert shall be paid from the appropriation aforementioned a sum not exceeding ten dollars for each day's service, and the state auditor shall draw his orders for the payment of such services upon the receipt of vouchers approved by the secretary of state. The secretary of state shall in his discretion supply such machines as have been purchased by the state under the provisions of this section, to be used for such period of time as he may designate, to any town or city making requisition therefor.

Secretary of state to invite bids for machines, and may purchase same, when.

Mechanical expert may be employed.

Machines to be supplied to cities and towns, when.

Such requisition shall be manifested by vote of the town council of any town or the board of aldermen of any city, and a certified copy of such vote shall be filed with the secretary of state at least one month before any election at which the machines are to be used. Machines furnished under the provisions of this section may thereafter be used at all state and town elections and may be used in one or more voting-places of such town: *Provided, however,* that at each voting-place where such machines are used at least one machine shall be furnished for every six hundred qualified electors, and for every fraction of six hundred qualified electors in excess of one hundred, whose names are upon the voting-list used at such voting-place. All machines furnished under the provisions of this section shall be delivered by the secretary of state to the clerk of the town wherein they are to be used, at the expense of such town, and said clerk shall be responsible for their safe-keeping, and the authorities of such town shall furnish said clerk with sufficient police protection to enable him at all times, whether such machines are in use or not, to properly protect them from injury or damage: *Provided, however,* that such machines shall remain the property of the state, and when their use shall for any reason be discontinued, they shall be returned to the secretary of state by the town clerk, at the expense of the town. Whenever any machines are furnished under this section to the cities of Providence and Pawtucket they shall be delivered to the board of canvassers and registration, and the duties prescribed for town clerks by this section in regard to their custody, safe-keeping, and return shall devolve upon and be performed by said board.

The use of any machine, purchased and supplied under the provisions of this section, may be discontinued at any time by an order of the secretary of state filed with the town clerk of the town in which such machines are to be used, and the secretary of state shall order the discontinuance of the use of such ma-

chines whenever he shall receive a certified copy of a vote requesting such discontinuance, passed by the town council or the board of aldermen of any town or city in which such machines are being used; but such certified copy shall be filed with the secretary of state not later than one month before any election at which the machines are to be used.

SEC. 6. Any town or city, by vote of its town or city council, may purchase or lease machines and may order their use in any one or more voting-places of such town or city, and said councils may also order the experimental use of leased machines at any election in one or more voting-places of such town or city, and the use of such machines shall be valid for all purposes of the election. Any such order shall be made not later than one month before the day of the election at which such machines are to be used, and a certified copy of such order shall be forthwith filed with the secretary of state, and such order shall show the number of machines to be used, the date of the election and the voting-places at which they are to be used, whereupon the secretary of state shall cause such machines to be examined and to be numbered as required by section seven of this chapter. Any order made under this section shall continue in force until revoked by vote of the town or city council, but such revocation shall be made not later than one month before the election at which the use of such machine is to be discontinued, and a certified copy of the revoking order shall forthwith be filed with the secretary of state. Any purchase or lease of machines under the provisions of this section shall be at the expense of the city or town making such purchase or lease, and at each voting-place where such machines are used at least one machine shall be furnished for every six hundred qualified electors, and for every fraction of six hundred qualified electors in excess of one hundred, whose names are upon the voting-list used at such voting-place and entitled to use such machines: *Provided, however,* that no machine purchased or leased under

Town or city  
may purchase  
or lease ma-  
chines.

the provisions of this section shall be used in any state or town election until such machine has been examined by the secretary of state or by an expert mechanic appointed by him, and is found by the secretary of state to comply with the requirements of this chapter. The expense of such examination not exceeding ten dollars for each machine shall be paid by the city or town purchasing or leasing the same.

Machines to be numbered by the secretary of state.

SEC. 7. Every machine purchased or leased under the provisions of sections five and six of this chapter shall be numbered by the secretary of state, and such number shall be inscribed upon the machine in some conspicuous place, and thereafter such machine shall be designated and identified by such number in all records, reports, certificates, and statements required to be made by this chapter or by any other provision of law, wherein such machine is to be designated. It shall be the duty of the secretary of state to keep a record of the number of each machine and of the voting-place in which such machine is used, and to that end he may require the person who has custody of any machine to furnish him with the necessary information for such record.

Diagrams or face-plates to be prepared, by whom.

SEC. 8. In all cases where machines are to be used for a state election or for a town election held on the same day as a state election the secretary of state, and in all cases where machines are to be used for town elections only, the town clerk, shall prepare a diagram of the face-plate of the machines to be used at such election, and such diagram shall show the manner and order in which the devices and labels shall be arranged upon such face-plate. Such diagram shall be made up as nearly as possible to conform to the provisions of section twenty-four of chapter eleven, in regard to the arrangement of the offices and candidates and party columns on the paper ballot; except that whenever the face-plate will permit the list of candidates shall be arranged in parallel party rows running horizontally across the face-plate. All officers charged with the

duty of arranging the devices and labels upon the face-plate of any machine for any election shall be furnished with a copy of such diagram at least three days before the date of such election, and shall be governed thereby in the performance of such duty.

SEC. 9. The labels required for any machine to be used at a state election, or at a town election held on the same day as a state election, shall be printed and furnished at the expense of the state and shall be supplied by the secretary of state to the clerk of the town where such machine is to be used. Such clerk shall certify to the secretary of state, not later than ten days before such town election, the offices to be voted for thereat, the names and addresses of the candidates for such offices, and the party name under which such candidates were nominated, and any other information necessary to enable the secretary of state to prepare labels uniform in size, type, color, and appearance with those prepared by him for the state election, and in like manner such clerk shall certify to the secretary of state a copy of each question to be submitted to the electors of such town so that suitable labels may be prepared and furnished therefor. Labels required for machines to be used at town elections only shall be prepared and furnished at the expense of such town, and by the clerk of the town. All labels provided under this section shall be printed in black ink on clear, white material in plain clear type, as large as the label space will permit, and three sets of such labels shall be furnished for each machine. Upon the label for questions the statement of the question may be abbreviated to meet the requirements of the space provided, and shall be printed in type that can be easily read, with the words "Yes" and "No," or "Approve" and "Reject," whichever may be required, for the voter to indicate his vote for or against any such question.

Labels to be  
furnished at ex-  
pense of state.

The officers required by this section to provide labels shall also prepare a sample ballot, which may be of a reduced size,

Sample ballot.

in the form of a diagram or fac-simile of the face-plate of the machine after the labels and devices have been arranged thereon ready for the use of the voter. Such sample ballot shall clearly and briefly explain and illustrate the manner of operating the machine, of voting a straight party ticket, of voting for candidates individually, and of voting upon questions. No fewer than three of such sample ballots shall be furnished for each voting-place.

Forms to be  
furnished for  
state elections  
by secretary of  
state.

The secretary of state shall also prepare and furnish, for each voting-place at which machines are to be used for state elections, suitable forms whereon may be recorded the following information for each machine in use:

The machine number;

The voting-place at which such machine is used;

The date of the election at which such machine is used;

The number of names checked upon the voting-list used at such election;

The number of voters registered by the machine;

The number of votes registered by the machine for each candidate, and for what office;

The number of votes registered by the machine for and against each question submitted.

Space shall be left on such form wherein may be recorded the number of votes given in for any person not a candidate at such election, and for what office. Spaces shall also be left for the signatures of the moderator, clerk, and at least two supervisors. The secretary of state shall also furnish the necessary envelopes and adhesive labels required to be used in accordance with the provisions of section fourteen of this chapter.

Similar forms shall be prepared and furnished by the town clerk of any town wherein machines are to be used for a town election only, whereon may be recorded like information in regard to the votes cast for each candidate or person for town offices and for and against each question submitted to the voters



of the town; and such clerk shall also furnish the necessary envelopes and adhesive labels required to be used in accordance with the provisions of section fourteen of this chapter.

Whenever machines are to be used at any voting-place in the cities of Providence and Pawtucket the officers required by this section to furnish and deliver labels, forms, envelopes, and adhesive labels shall furnish and deliver the same to the board of canvassers and registration. All printed matter, stationery, and supplies required to be furnished by this section shall be delivered to the proper officer not later than three days before the election for which they are to be used.

SEC. 10. The chairman of the town or city committee of any political party, may ten days before any election in such city or town at which machines are to be used, apply to the town or city clerk for the appointment of party watchers. Said clerk shall, within two days after the receipt of such application, from a list of names to be furnished by such chairman, appoint one such watcher for each voting-place at which machines are to be used. Such watcher shall have the right to visit the voting-place for which he is appointed and inspect the machines when they are being set up, arranged, locked, and sealed and prepared for the use of the voters. He shall also be admitted within the guard-rail on the morning of election, before the opening of the polls, to witness the inspection of the machines by the moderator, but shall not remain within such guard-rail after the polls are declared open. He shall also be admitted within the guard-rail, after the polls are closed, to witness the announcement and recording of the vote registered by the machines and the final locking of the machines by the moderator. He shall not be entitled to any compensation for his services, and shall not, while within the guard-rail, either by word or action, interfere with the election-officers in the performance of their duties, and any attempt on his part so to do shall be deemed good cause for his removal from the voting-

Party watchers,  
how appointed.

place by order of the moderator. In the cities of Providence and Pawtucket such watchers shall be appointed, by the board of canvassers and registration, from a list of names submitted to said board by the chairman of the city committee of any political party for that city.

Duty of town clerk.

SEC. 11. It shall be the duty of any town clerk to whose custody any machines have been delivered to see that each machine is properly and safely located in the voting-place where it is to be used, and to notify the secretary of state of such location. Before the time for the opening of the polls at any election when machines are to be used he shall affix the labels to the devices on the face-plate of each machine, shall see that such devices and labels are arranged on the face-plate in accordance with the provisions of this chapter, that such devices are in good working order, and that the machine is properly set and adjusted and ready for use at such election. He shall also see that all of the party devices not needed in the election are securely locked, and that all the counters are set at zero and record no vote for any candidate. When he has prepared, set, and adjusted each machine ready for use, he shall lock such machines and seal them with a special seal. He shall also see that the sample ballots are posted in some conspicuous place in the voting-place outside the guard-rail. Prior to the day of election he shall carefully instruct the election-officers in regard to the locking and unlocking of each machine, the manner of operating it, of voting thereby, and of reading and recording the votes therefrom. He may appoint deputies who shall be expert mechanics to assist him in the performance of the foregoing duties, not exceeding one such deputy for every eight machines, and such deputies shall be paid the sum of ten dollars per day for each day's service, from the town treasury, upon vouchers approved by said clerk. Such deputies shall be citizens of the state, but need not be voters of the city or town in which they are to serve, and before entering upon their duties they shall be

sworn to the faithful performance thereof. Said clerk shall cause to be delivered to the moderator of the elective meeting at which machines are to be used, at least five minutes before the opening of the polls, the keys of such machines in a sealed envelope upon which shall be written or printed the number and location of the voting-machines, and the numbers registered on the protective counter, if any, as reported to the clerk when the machines were set up and adjusted. Such envelope shall be opened by the moderator in the presence of the other election-officers and watchers, and the delivery of such keys shall be equivalent to a certificate from such clerk that the machines are ready for use. The custody of such machines shall remain in said clerk up to the time of the delivery of the keys thereof to the moderator, and said clerk shall be held fully responsible for any damage or injury to any machine while it is in his custody, and for failure to have any machine ready for use at the time of the opening of the polls. The duties imposed by this section upon town clerks shall in the cities of Providence and Pawtucket be performed by the board of canvassers and registration.

SEC. 12. The voting-places where machines are to be used shall be equipped, by the officers now required by law to furnish and equip such voting-places, with a guard-rail having one place for entrance and another place for exit, and said rail shall be so placed that only persons admitted inside said rail can approach within five feet of any machine. Any person desiring to vote shall give his name and, if requested so to do, his residence to one of the supervisors, who shall thereupon announce the same in a loud and distinct voice, clear and audible, and if such name is found upon the voting-list the supervisor in charge of the voting-list shall repeat the said name in the same manner and the voter shall be allowed to enter the space enclosed by the guard-rail, and his name shall at once be checked upon the supervisor's list. The moderator shall thereupon direct said

Voting-places,  
how to be  
equipped.

Manner of vot-  
ing.

voter as to the machine he shall use, and said voter shall at once enter said machine, and shall vote by means of the devices, and having voted he shall leave the machine and proceed to the desk of the clerk near the exit from the enclosure. He shall then give his name and, if requested so to do, his residence to the clerk, who shall check his name upon the voting-list, and he shall leave the enclosure without delay. No voter shall remain within a machine longer than one minute, and if he shall refuse to leave it after the lapse of one minute he may be removed therefrom by order of the moderator. Besides the election-officers, not more than two voters in excess of the number of machines shall be allowed within said enclosed space at one time. In case any voter after entering the machine shall ask for further instructions concerning the manner of voting, the moderator shall appoint two supervisors, who shall give such instruction to him, and after receiving such instruction such voter shall vote as in the case of an unassisted voter. Any voter who declares to the moderator that on account of blindness or other physical disability he cannot use the machine, shall, by direction of the moderator, receive the assistance of two supervisors, who in the presence of such voter and in the presence of each other shall register his vote upon the machine for the candidates of his choice. In every case where supervisors are directed by the moderator to assist or instruct a voter one of such supervisors shall be a republican and the other a democrat. No election officer assisting or instructing a voter shall in any manner request, suggest, or seek to persuade or induce any such voter to vote for a particular candidate or for or against any particular question, nor shall any such election-officer give any information whatsoever in regard to the manner in which such voter shall vote.

Duty of moderator.

SEC. 13. The moderator upon receipt of the keys of the machines at the voting-place, before the opening of the polls shall in company with the clerk, supervisors, and party watchers,

and before the opening of the polls, unlock the counter compartment of each machine and carefully examine each counter and satisfy himself that no vote is registered thereon for any candidate or question. He shall also examine the face-plate of each machine and see that it is arranged in accordance with the sample ballot, and shall satisfy himself, so far as he may do so without operating any machine, that each machine is in good order and ready for the use of the voters. He shall thereupon close and lock the counter compartment of each machine and unlock each machine for voting and declare the polls open. During the time that the polls are open, and until the machines are finally locked and sealed and the keys thereof sealed up for transmission to the town clerk, as hereinafter provided, such machines shall remain in the care and custody of the moderator, who shall see that the machine and the devices and labels thereon are not defaced or injured by any voter or any other person. During the entire time in which the polls are open for voting the doors of the counter compartment shall be kept closed and locked and the counters kept concealed, except that, if a machine shall become out of order, the moderator may have such machine opened for the purpose of making necessary repairs thereon: *Provided, however,* that whenever such machine is opened for such purpose a note thereof shall be made on the return-sheet by the moderator and clerk, stating the time when said machine was opened, the length of time it was opened, and the probable trouble. If at any time after the polls are opened the voting is interrupted, by trouble with the machine, for more than five minutes, a report of such interruption and the probable cause thereof shall be made by the moderator and clerk with the returns. In case any machine, during the time the polls are opened, becomes injured so as to render it inoperative, in whole or in part, it shall be the duty of the moderator to immediately notify the town clerk, or, if in the cities of Providence and Pawtucket, the board of can-

vassers and registration, and such clerk or board shall at once substitute another machine for the injured machine and at the close of the polls the records of both machines shall be taken. If no other machine can be procured for use at such election, and there is not another machine at the voting-place in use, the election shall continue under the provisions of law that would apply if the use of machines had not been authorized. All repairs upon machines in use at any voting-place shall be made by the expert mechanic appointed under section eleven of this chapter, but such repairs shall not be made to any machine that will necessitate the moving or changing of the counters which register the vote cast for any candidate or question. It shall be the duty of the moderator to remain near the entrance to the machines while the polls are open, to regulate the admission of voters thereto, but he may appoint one of the supervisors, from time to time, to relieve him in the performance of such duty. He shall also, at such intervals as he may deem proper or necessary, examine the face-plate of each machine to ascertain whether it has been defaced or injured, to detect any wrongdoer, and to have any injury repaired.

Duties of moderator upon closing of polls.

SEC. 14. Immediately upon the close of the polls the moderator shall lock the operating levers of the machine against voting and shall open the counter compartment, and in the presence of the other election-officers and watchers shall proceed to read off in a clear and loud voice the vote for each candidate, and upon each question as indicated by the counters, and the votes cast for persons not nominated. While the moderator is so announcing the vote, the clerk shall record the same on the forms provided for in section nine of this chapter. Upon the blank form provided by the secretary of state he shall record in ink the votes cast for each candidate and person and for and against each question in the state election, and upon the blanks furnished by the town clerk he shall record in ink the votes cast for each candidate and person and for and against each question

in the town election, and the number registered on the protective counter, if any; and such records shall be known, respectively, as state election returns and town election returns. The moderator and one supervisor of each political party shall each separately compare such returns with the counters of the machine, and if they are found to agree, such moderator, clerk, and supervisor shall sign such returns. The clerk shall thereupon copy such returns in ink in the record-book of the elective meeting now provided for by law, and the moderator shall compare the copy made in said book with the counters of the machine, and if they are found to agree, he, together with the clerk, shall sign such record-book. At least two separate return-sheets shall be made out for each machine used in the voting-place, and the records in the record-book shall show the votes registered by each machine for each candidate and person and for and against each question, and the number registered on the protective counter, if any. The machine shall then be completely locked by the moderator so that the devices cannot be worked nor the counters or registers changed, and the keys of the machines shall be enclosed in a stout envelope and be directed to the town clerk. The record-book shall also be placed in a paper wrapper and directed to the town clerk. Such record-book and envelope shall then be sealed with two or more adhesive labels affixed upon such envelope and package so that they cannot be tampered with, and such labels shall be signed in ink by the moderator and clerk. Such envelope and record-book shall thereupon be delivered to a police officer who shall, under orders of the town clerk, or, if in the cities of Providence and Pawtucket, under orders of the board of canvassers and registration, remain at the voting-place until such clerk or board resumes custody of the machines. Such envelope and record-book shall not be opened, after they are once sealed up in the polling-place, by any person whatsoever, except the officer to whom they are addressed.

Election re-  
turns.

The state election returns shall be enclosed in a stout envelope, together with the supervisors' reports, and such envelope shall be endorsed with a statement of the offices and question to which the returns relate, the number of the machines from which such returns were taken, the voting-place where such machines were used, and the date of the election to which such returns refer. The town election returns shall be enclosed in another stout envelope, together with the supervisors' reports, and such envelope shall be endorsed with a statement of the offices and questions to which such returns relate, the number of the machines from which such returns were taken, the voting -place where such machines were used, and the date of the election to which such returns refer. Each envelope shall be sealed with two or more adhesive labels, and such labels shall be signed in ink by the moderator and clerk.

The provisions of law relating to the disposition of the ballots cast under chapter eleven, after they have been sealed up in open town meeting, shall apply in all respects to the disposition of the state election returns and the town election returns after they are enclosed in envelopes and sealed up as before prescribed, and said returns shall be of the same force and effect in determining the vote cast for any candidate and person, or for and against any question, as would ballots cast for such candidates, persons, or for and against such questions under the provisions of chapter eleven, or any other provision of law in regard to elections.

When machines are used at town elections in towns not divided into voting-districts, the moderator, after announcing the votes registered by the machines for the candidates for town officers, and upon questions submitted to the voters of the town, and signing the record thereof in the record-book, shall declare the result of such town election, and certificates shall be issued to the officers declared elected as is now required by law.



SEC. 15. When the machines used in any voting-place have been finally locked and sealed by the moderator after the close of the polls, the town clerk shall resume custody of such machines, either in person or through a police officer delegated for that purpose, and shall take all necessary measures to prevent such machines from being opened, tampered with, injured, or damaged, or the counters thereof changed, until such time as said clerk is notified by the proper officers that the election has in all respects been completed: *Provided, however,* that in the cities of Providence and Pawtucket such custody shall be resumed by the boards of canvassers and registration of said cities; *and provided, further,* that such machines may be opened, unlocked, and examined at any time by order of the state returning-board after the polls are closed, and such board may issue such order whenever it deems such action necessary for the proper discharge of its duty in counting, tabulating, and declaring the votes cast at state elections, and such board may, in its discretion, issue an order upon the petition of any town council, board of aldermen, or of the board of canvassers and registration, or any candidate at the said election; but no machine shall be opened, upon any such order except in the presence of a member of the state returning-board, who shall see that such machine is securely relocked and resealed after the investigation for which it was opened has been completed.

Town clerk to resume custody of machines, when.

SEC. 16. Whenever any machines purchased or leased under sections five and six of this chapter are to be used for the first time in any voting-place, the person supplying such machines may be required, by the officer or body purchasing or leasing them, to furnish and equip each of such voting-places with a model for the instruction of voters. Permission may also be granted to any person, supplying machines under the provision of this chapter, to furnish and use models of such machines for the instruction of voters, and such permission shall be subject to the restriction that the model machines shall be located out-

Model of machine may be required for instruction of voters, when.

side the guard-rail of the voting-place in a position where their operation will not interfere with the conduct of elections, and further that such machines in the arrangement of their face-plate shall correspond with the machine or machines in use within the guard-rail. Labels shall be furnished for such model machines free of charge by the officers required to provide such labels, under section nine of this chapter.

Penalty for neglect, by officer to perform duty.

SEC. 17. Any public officer upon whom a duty is imposed by this chapter who shall willfully neglect to perform such duty, or who shall perform it in such a way as to hinder the objects of this chapter, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

Penalty for tampering with machines.

SEC. 18. Any person, not being an election-officer or person upon whom a duty is imposed by this chapter, who, while any machine is being made ready for an election, or is in use during an election, shall tamper with such machine, disarrange, deface, injure, or impair the same in any manner, or mutilate, injure, or destroy or disarrange any label thereon, or to be placed thereon, or any other appliance used in connection with such machine, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

Penalty for tampering with machines by any person having custody.

SEC. 19. Any person having the custody of a machine under this chapter, or any election-officer, who, with intent to cause or permit any machine to fail to correctly register all votes cast thereby, tampers with, injures, or disarranges such machine in any way, or any part thereof, or who causes or consents to such machine being used for voting at any election with knowledge of the fact that the same is not in order or not properly set and adjusted so that it will correctly register all votes cast thereby, or who, for the purpose of defrauding or deceiving any voter or of causing it to be doubtful for what candidate or question any vote is cast, or of causing it to appear upon said machine that votes cast for one candidate or question were cast for another candidate or question, removes, changes, or mutilates

any label on said machine or any part thereof, or does anything to defeat the will or intention of a voter in casting a lawful vote, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

SEC. 20. Any election-officer who shall at the close of the polls purposely cause the vote registered by any machine to be incorrectly recorded or returned, as to any candidate, person or question, or who shall knowingly cause to be made or signed any false statement, certificate, or return of any kind, of such vote, or who shall knowingly consent to such things, or any of them, being done, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

Penalty for election officer causing vote to be incorrectly recorded or returned.

SEC. 21. Whoever, with intent to defraud a voter of his vote, or to cause a voter to lose his vote, shall give in any way, or shall print, write, or circulate, or shall cause to be written, printed, or circulated, any improper, false, misleading, or incorrect instructions or advices or suggestions of how to vote by the machine, the following of which would cause any voter to lose his votes or would cause him to fail to register or record the same on the machine for the candidates of his choice, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars.

Penalty for circulating false or misleading instructions.

SEC. 22. Any unauthorized person who shall make a duplicate of, or have in his possession, a key to any machine used at any election, or any election-officer who shall keep one or more of the keys to a machine and shall fail or refuse to return them immediately after the election to the officer charged by law with the duty of caring for such keys, and any mechanic who shall keep one or more of said keys after he has prepared the machines for election and shall refuse to turn said keys over to the officer charged by law with the care of said keys, and any officer charged by law with the care of said keys who shall keep such keys and refuse to deliver them over to his successor in

Penalty for unauthorized person having key to machine, and for election-officer failing to properly return key.

office, shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars.

Provisions of law not inconsistent to apply to elections.

SEC. 23. All provisions of law in relation to the conduct of elections not inconsistent with the provisions of this chapter shall apply to all elections at which machines are used.

Pub. Laws, Ch. 826, March 7, 1901.

## CHAPTER 14.

### OF THE ELECTION OF GENERAL OFFICERS.

General officers, when elected, and terms of office.

SECTION 1. (As amended by Section 1, Chapter 817, Public Laws.) The governor, lieutenant-governor, secretary of state, attorney-general, and general treasurer shall be known as general officers. They shall be elected by ballot at town, representative-district and voting-district meetings, on the Tuesday next after the first Monday in November biennially, commencing A. D. 1912, and shall severally hold their offices for two years from the first Tuesday of January next succeeding their election and until their successors are elected and qualified.

Ballots cast for, to be delivered to the state returning-board.

SEC. 2. The ballots given in at any election for general officers, after having been counted and declared in open meeting by the moderators or wardens and clerks, shall be sealed up and certified in the manner provided by law and be delivered in person, by the respective clerks of the meetings where they were given in, to the state returning-board within forty-eight hours after such sealing is done: *Provided*, that any such clerk may appoint, in writing, some officer of the town or city where he resides to so deliver such ballots in his stead in case of his sickness or absolute inability to deliver them in person.

State returning-board to count ballots and issue certificates.

SEC. 3. The state returning-board shall count and tabulate all such ballots and declare the result thereof in the manner provided by law, and shall give certificates of their election to the persons shown to have been elected.

SEC. 4. When the governor-elect shall die, remove from the state, refuse to serve, become insane, or be otherwise incapac-

itated, the lieutenant-governor elect shall be qualified as governor at the beginning of the term for which he was elected. When both the governor and lieutenant-governor-elect, or either the lieutenant-governor, secretary of state, attorney-general, or general treasurer-elect, are so incapacitated, or when there has been a failure to elect any one or more of the officers mentioned in this section, the general assembly shall, upon its organization, meet in grand committee and elect some person or persons to fill the office or offices, as the case may be, for which such incapacity exists or as to which such failure to elect occurred. When the general assembly shall elect any of said officers because of the failure of any person to receive a plurality of the votes cast, the election in each case shall be made from the persons who received the same and largest number of votes.

Lieutenant-governor shall act as governor, when.

General officers to be elected by the general assembly, when.

SEC. 5. If the offices of governor and lieutenant-governor be both vacant, by reason of death or otherwise, they shall be filled by the general assembly in grand committee, and the acting governor shall, if the general assembly is not then in session call a special session thereof, for that purpose, within twenty days after both of said offices become vacant, if a stated session is not sooner to occur.

Acting governor, duties.

SEC. 6. In case of a vacancy in the office of secretary of state, attorney-general, or general treasurer, from any cause, the general assembly in grand committee shall elect some person to fill the same: *Provided*, that if such vacancy occurs when the general assembly is not in session the governor shall appoint some person to fill such vacancy until a successor elected by the general assembly is qualified to act.

Grand committee to elect certain general officers, when.

Governor shall appoint, when.

SEC. 7. In elections by the general assembly in grand committee the person receiving a majority of the votes shall be elected. Every person elected by the general assembly to fill a vacancy, pursuant to the provisions of this chapter, shall hold his office for the remainder of the term or for the full term, as the case may be, and until his successor is elected and qualified.

Majority to elect in grand committee.

CHAPTER 15.

Pub. Laws, Ch.  
1230, April 26,  
1905.  
25 R. I. 520.

OF THE ELECTION OF SENATORS AND REPRESENTATIVES IN THE  
GENERAL ASSEMBLY.

Senators and  
representatives  
in general as-  
sembly, date  
of election and  
term of office.

SECTION 1. (As amended by Section 29, Chapter 640, and Section 1, Chapter 819, Public Laws.) Senators and representatives in the general assembly shall be elected by ballot in each town and city, at town, representative-district, and voting-district meetings, on the Tuesday next after the first Monday in November biennially, commencing A. D. 1912, and shall severally hold their offices of two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified.

Election meet-  
ings to stand  
adjourned un-  
til notice is re-  
ceived that  
senators and  
representatives  
have been  
elected.

SEC. 2. (As amended by Section 30, Chapter 640, Public Laws.) All town, representative-district, and voting-district meetings held in any town or city for the election of senator and representatives in the general assembly, or of any one or more of them, shall, at the time of closing the polls therein prescribed by law, stand adjourned until the date named in the warrant provided in section four of this chapter to be issued in case of no election, or until the state returning-board shall have notified the mayor or president of the town council, as the case may be, that an election of senator and representatives in the general assembly from such city or town has been made.

Of the delivery  
of ballots cast  
for members of  
the general as-  
sembly.

SEC. 3. All ballots given in for senators and representatives in the general assembly at any election therefor, after having been counted and declared in open meeting by the moderators or wardens and clerks, shall be sealed up and certified in the manner provided by law and be delivered in person, by the respective clerks of the meetings where they were given in, to the state returning-board, within forty-eight hours after such sealing is done: *Provided*, that any such clerk may appoint in writing some officer of the city or town wherever he resides

to so deliver such ballots in his stead in case of his sickness or absolute inability to deliver them in person.

SEC. 4. (As amended by Section 31, Chapter 640, Public Laws.) If it shall appear, by the count of the state returning-board, that no election has been made of senator or any one or more of the representatives in the general assembly, in any city or town at any election held for such officers, said returning-board shall, immediately after such count, notify the mayor of such city or the president of the town council of such town, of such failure to elect, and if the failure to elect be of senator, the mayor of such city or the president of the town council of such town shall, immediately after such notification, issue a warrant to the moderator of the town, or to the moderator or moderators of the representative-district or districts, or voting-district therein, as the case may be; and if the failure to elect be of one or more representatives, to the moderator of the town, the moderator or moderators of the representative-district or districts or voting-districts therein, as the case may be, directing the election to proceed, on the tenth day from the date of such warrant, unless such day be a legal holiday, in which case it shall direct the election to proceed on the next day after the tenth day not a legal holiday, for the officer or officers for which there was no choice, which warrant shall be served on the day of its issue by the city or town sergeant or constable: *Provided*, that in Westerly and Hopkinton there shall be no election held on Saturday, and if said tenth day shall fall on Saturday, the election in those towns shall proceed on the Monday next following, unless such Monday be a legal holiday, in which case the election in these towns shall proceed on the next following day which is not a legal holiday.

SEC. 5. Whenever any person elected a senator or representative in the general assembly shall at any time between the day of his election and the beginning of his term of office refuse to serve, and so declare to the clerk of the city or town for which

Proceedings in case of an adjourned election because of failure to elect.

Of new elections to fill a vacancy.  
18 R. I. 276.  
18 R. I. 818.

he is elected, or die, become insane, remove from the state, or be otherwise incapacitated, the clerk of such city or town shall forthwith issue his warrant ordering a new election of senator or representative, as the case may be, to be held in the city of Providence within forty days, and in other cities and towns within thirty days, from the occurrence of such refusal or incapacity. Every person elected pursuant to the provisions of this section shall hold his office for the full term or for the remainder of the term, as the case may be, of the office which he is elected to fill, and until his successor is elected and qualified.

Same subject.

SEC. 6. Whenever from any cause a vacancy shall occur in the representation of any city or town in the general assembly while the general assembly is in session, the clerk of such city or town shall forthwith issue his warrant ordering an election to fill such vacancy to be held in the city of Providence within forty days, and in other cities and towns within thirty days from the occurrence thereof: *Provided*, that if the general assembly has passed or shall thereafter pass any resolution of final adjournment of the session then being held which will render it impossible for a person elected at an election so called to serve at such session, such election shall not be ordered, or if ordered shall not be held. In the latter case such clerk shall issue his warrant countermanding such election. If such a vacancy shall occur or exist at any time when the general assembly is not in session the clerk of the city or town where such vacancy exists shall, if ordered by the board of aldermen of such city or the town council of such town, issue his warrant ordering an election to be held to fill such vacancy as hereinafter provided. Every person elected pursuant to the provisions of this section shall hold his office for the remainder of the term which he is elected to fill and until his successor is elected and qualified.

Ballots, used at adjourned elections to be furnished by secretary of state.

SEC. 7. At the adjourned elections provided for in section four of this chapter, the official ballot shall contain the names of the candidates for the offices for which there was no choice at



the first election, and shall be printed and supplied by the secretary of state: *Provided*, that in case any such candidate has died, the city or town committee of the party to which he belonged may substitute the name of some other person as a candidate and such name shall be printed upon the official ballot, if such substitution is made in time to allow it to be so printed. For the elections provided for in sections five and six of this chapter, certificates of nomination and nomination-papers may be filed ten days previous to the date of such elections.

Filing of nomination-papers.

SEC. 8. Every mayor, president of a town council, or town clerk who shall neglect to seasonably issue his warrant as provided in this chapter, shall be fined five hundred dollars.

Penalty for neglect to seasonably issue warrant.

SEC. 9. If the clerk of any elective meeting shall neglect or refuse to deliver to the state returning-board the packages of ballots as provided in section three of this chapter, or to authorize in writing some officer as provided therein to make such delivery, or if any officer so authorized shall fail to make such delivery within the time specified therefor, the person so neglecting or refusing shall be fined not exceeding five hundred dollars.

Penalty for failure to deliver ballots to state returning-board.

SEC. 10. (Repealed by Section 32, Chapter 640, Public Laws.)

## CHAPTER 16.

### OF THE ELECTION OF REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES.

Pub. Laws, Ch. 838, March 28, 1901.

SECTION 1. (As amended by Section 1, Chapter 775, Public Laws.) The state shall be divided into three districts for the election of representatives in the congress of the United States, to be called respectively the first congressional district, the second congressional district, and the third congressional district, and the electors residing in each of said districts who are qualified to vote for general officers shall be entitled, at the times and places and in the manner hereinafter and by law pro-

Three districts for election of congressmen, and who votes therein.

vided, to elect a representative in the congress of the United States for the district in which they reside.

First district,  
how composed.

SEC. 2. (As amended by Section 2, Chapter 775, Public Laws.) The first district shall consist and be composed of the territory embraced within the following cities, towns, and representative-districts of the city of Providence, to wit: Newport, Middletown, Portsmouth, Tiverton, Little Compton, New Shoreham, Jamestown, Barrington, Warren, Bristol, East Providence, and the first, second, third, fourth, fifteenth, seventeenth, eighteenth, twenty-first, twenty-second, twenty-third, twenty-fourth, and twenty-fifth representative-districts of the city of Providence.

Second district.

The second district shall consist and be composed of the territory embraced within the following cities, towns, and representative-districts of the city of Providence, to wit: Warwick, East Greenwich, West Greenwich, Coventry, Exeter, North Kingstown, South Kingstown, Hopkinton, Richmond, Charlestown, Westerly, Narragansett, Foster, Scituate, Johnston, Cranston, North Providence, and the seventh, tenth, eleventh, twelfth, thirteenth, fourteenth, sixteenth, nineteenth, and twentieth representative districts of the city of Providence.

Third district.

The third district shall consist and be composed of the territory embraced within the following cities, towns, and representative districts of the city of Providence, to wit: Burrillville, Glocester, North Smithfield, Woonsocket, Smithfield, Cumberland, Lincoln, Central Falls, Pawtucket, and the fifth, sixth, eighth, and ninth representative districts of the city of Providence.

Elections, when  
holden.

SEC. 3. The election of representatives in congress shall be holden on the Tuesday next after the first Monday in November in the year one thousand nine hundred and eight, and on the Tuesday next after the first Monday in November in every second year thereafter.

SEC. 4. In all elections of representatives in congress the voting shall be by ballot, and the person or candidate receiving the largest number of votes shall be declared elected.

Plurality to elect.

SEC. 5. The ballots given in at any election for representatives in congress, after having been counted and declared in open meeting by the moderators or wardens and clerks, shall be sealed up and certified in the manner provided by law and be delivered in person, by the respective clerks of the meetings where they were given in, to the state returning-board within forty-eight hours after such sealing is done: *Provided*, that any such clerk may appoint in writing some officer of the town or city where he resides to deliver said ballots in his stead in case of his sickness or absolute inability to deliver them in person.

Ballots cast to be delivered to state returning-board.

SEC. 6. The state returning-board shall count and tabulate all such ballots and declare the result thereof in the manner provided by law, and shall give certificates of their election to the persons shown to have been elected.

Duties of state returning-board.

SEC. 7. In case no person shall receive a plurality of the votes cast in either district at any such election, a new election shall be held in such district in the fourth Tuesday after the holding of the election at which there was no choice. For such election, any new certificates of nomination or nomination-papers shall be filed ten days previous to the date of such election.

New elections.

SEC. 8. Whenever any person elected a representative in congress from either district shall at any time between the day of his election and the beginning of his term of office refuse to serve and so declare to the secretary of state, or die, become insane, remove from the state, or be otherwise incapacitated, or whenever a vacancy shall happen in the representation of this state in congress as contemplated in the second section of the first article of the constitution of the United States, the governor shall forthwith issue his writ of election directed to the several city and town clerks, ordering a new election of repre-

Of nominations.

In case of vacancy new election to be ordered by governor.

sentatives in congress to be held in such district or an election to be held to fill such vacancy, as the circumstances shall require, at as early a date, to be stated in said writ, as will admit of compliance with the provisions of law in relation to such elections. No elections provided for by this section shall be held on Saturday.

## CHAPTER 17.

11 R. I. 638.  
Pub. Laws, Ch.  
827, March 12,  
1901.

### OF THE ELECTION OF ELECTORS OF PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.

Presidential  
electors, who  
may vote for.  
19 R. I. 616.

SECTION 1. The people of this state qualified by law to vote for general officers shall elect by ballot so many electors of president and vice-president of the United States as the state is or shall be entitled to, at town, ward, and district meetings, on the Tuesday next after the first Monday in November in every fourth year, commencing A. D. nineteen hundred eight; and the several candidates having a plurality of the legal votes given in at such election shall be electors.

Election of,  
when to be  
holden.

Ballots, how  
sealed up, cer-  
tified, and re-  
turned.

SEC. 2. The ballots given in at such election, after having been counted and declared in open meeting by the moderators or wardens and clerks, shall be sealed up and certified in the manner provided by law and be delivered in person, by the respective clerks of the meetings where they were given in, to the state returning-board within forty-eight hours after such sealing is done: *Provided*, that any such clerk may appoint, in writing, some officer of the town or city where he resides to deliver said ballots in his stead in case of his sickness or absolute inability to deliver them in person.

Names of can-  
didates to be  
numbered upon  
ballots.

SEC. 3. The names of the persons voted for as electors shall be numbered upon the ballots, and in counting the ballots cast for them the places numbered shall be considered separate places.

SEC. 4. The state returning-board shall count and tabulate all such ballots and declare the result thereof in the manner provided by law, and shall give certificates of their election to the persons shown to have been elected.

Of the count of said ballots.

SEC. 5. If such count, tabulation and declaration shall show that there has been no election of any one or more of the electors to which the state is or shall be entitled, the general assembly at its session commencing on the first Tuesday in January next succeeding shall elect so many electors in grand committee as may be necessary to complete the number to which the state is or shall be entitled, and the secretary of state shall give certificates of their election to the persons so elected.

If no election, vacancy, how filled.

SEC. 6. Electors elected pursuant to this chapter shall meet in the state house in the city of Providence on the second Monday in January in the year nineteen hundred nine and in every fourth year thereafter, and there vote for a president and vice-president of the United States agreeably to the laws of the United States.

Electors chosen where to meet and vote.

SEC. 7. If any elector elected as hereinbefore provided in this chapter shall decline his office or from any cause not be present at four o'clock in the afternoon of the day and at the place where it is provided by law that such electors shall meet and vote for a president and vice-president of the United States, or if at that time the general assembly shall not have elected any elector or electors required to be elected by it by the provisions of section five of this chapter, the elector or electors at that time elected according to the provisions of this chapter and present at such time and place shall elect such number of electors as may be required to complete the number of electors to which the state is or at that time shall be entitled, and shall immediately, upon the same day, file a certificate of the election of the electors so elected by him or them in the office of the secretary of state, which certificate shall also state the reasons for such election.

Vacancies occurring after an election, to be filled, how.

Governor and secretary of state to be present at state-house on day of meeting of electors.

SEC. 8. It shall be the duty of the governor and the secretary of state to be present at the state house in Providence, on the day of the meeting of said electors, to make and furnish to the electors any certificates required by the laws of the United States to be forwarded to the seat of government with the votes of said electors which are made necessary by any election made pursuant to the provisions of section seven of this chapter.

Pub. Laws, Ch. 834, March 26, 1901.

## CHAPTER 18.

### OF VOTING UPON PROPOSITIONS OF AMENDMENT OF THE CONSTITUTION, AND UPON QUESTIONS SUBMITTED TO THE ELECTORS OF THE STATE.

Of voting upon propositions submitted to the electors.

SECTION 1. Whenever any proposition of amendment of the constitution or any question is submitted to the electors of the state, it shall be voted upon by ballot at the time provided in the act submitting the same at town, ward, and district meetings.

Of voting upon propositions submitted to the electors. Pub. Laws, 1229, April 26, 1905.

SEC. 2. The secretary of state, in preparing such proposed amendment or question for submission to the electors, shall, if candidates for office are to be voted for at the same time, print such proposition of amendment or question after or beneath the lists of candidates upon the official ballot.

Ballots cast upon propositions, to be sealed up, certified and delivered to state returning-board.

SEC. 3. The ballots given in for and against any such proposition of amendment or question, after having been counted and declared in open meeting by the moderators or wardens and clerks of such meetings, shall be sealed up and certified in the manner provided by law and be delivered in person, by the respective clerks of the meetings where they were given in, to the state returning-board within forty-eight hours after such sealing is done: *Provided*, that any such clerk may appoint in writing some officer of the town or city where he resides to so deliver such ballots in his stead in case of his sickness or absolute inability to deliver them in person.

SEC. 4. The state returning-board shall count and tabulate all such ballots and shall declare the result thereof in the manner provided by law, and such declaration shall be a sufficient notice to all officers, and other persons interested, of the adoption or the rejection of any amendment of the constitution or of the manner in which any question submitted to the electors of the state has been decided.

State returning-board to count the ballots, tabulate the same, and declare the result.

## CHAPTER 19.

### OF THE STATE RETURNING-BOARD AND DEFINING ITS DUTIES.

Pub. Laws, Ch. 825, March 6, 1901.

25 R. I. 522.

SECTION 1. There shall be a state returning-board consisting of five members. At the January session of the general assembly in each year, the governor, with the advice and consent of the senate, shall appoint one member of said board to hold office until the first day of February in the fifth year after his appointment to succeed the member of said board whose term will next expire. Any vacancy which may occur in said board when the senate is not in session shall be filled by the governor until the next session thereof, when he shall, with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term. The members of said board shall not all be of the same political party. Said board shall elect one of its members as chairman to preside at its meetings, and in his absence shall elect some member as chairman *pro tem*.

State returning-board, how constituted.

SEC. 2. The ballots cast for electors of president and vice-president of the United States, representatives in congress, general officers, and senators and representatives in the general assembly, and for and against any proposed amendment of the constitution of the state, or any question submitted to the electors of the state, shall be counted and tabulated by said board.

Ballots cast for candidates, etc., mentioned in Section 1, to be counted by state returning-board.

Pub. Laws, 1229, Sec. 13, April 26, 1905.

SEC. 3. Said board shall commence the counting and tabulating of such ballots within twenty-four hours after their

Counting of  
ballots, when to  
begin.  
Pub. Laws,  
1229, Sec. 14,  
April 26, 1905.

reception or the reception of any of them, and shall continue and complete the same with all reasonable expedition. When the result thereof has been ascertained, said board shall declare the same by publishing in at least one newspaper in each of the cities of Providence, Pawtucket, Newport, Woonsocket, and Central Falls, and in each of the towns of Bristol, East Greenwich, Warwick, Westerly, South Kingstown, and Burrillville, or in each of said cities and town in which a newspaper is published, a statement of the names of the persons elected; the total number of ballots cast for each candidate except candidates for senator and representative in the general assembly; the number of votes cast for and against any such proposed amendment or question; whether such proposed amendment has or has not been adopted or such question has or has not been assented to by the electors of the state; and, if such be the case, the office or offices for which no person received a plurality of the votes cast therefor.

Certificates to  
be furnished  
candidates  
elected.

SEC. 4. Said board shall forthwith, after such result has been ascertained, furnish to each candidate elected a certificate of his election, and shall deliver to the secretary of state, who shall keep the same on file in his office, a statement of the number of ballots cast in each voting-district, ward, town, and city for each candidate; the total number cast in the state for each of the candidates for electors and for general officers; the total number cast in each congressional district for each candidate for representative in congress; the total number cast in each city or town for each candidate for senator and representative in the general assembly; the number of votes cast in each voting-district, ward, town, and city for and against any proposed amendment of the constitution, or question submitted to the electors of the state; the total number of votes cast in the state for and against any such proposed amendment or question; the names of the respective candidates elected and the offices to which they have been respectively elected; whether or not any such proposed

Tabulated  
statement of  
votes cast to be  
filed in office of  
secretary of  
state.  
Pub. Laws,  
1229, Sec. 15,  
April 26, 1905.



amendment has been adopted, and whether or not any such question has been assented to by the electors of the state. Such certificates and statement shall be signed by said board and shall be final and conclusive evidence of the matters in them contained and of the title of the persons declared elected to the offices for which they have severally received certificates of election.

SEC. 5. The sessions of said board for the counting and tabulating provided for in section three of this chapter shall be public, but no notice or advertisement thereof need be given. Such counting and tabulating shall be done within a railed space in the room in which such counting and tabulating takes place, and said board shall admit within such railed space the candidate, or at least one representative of the candidate, for whom ballots are at the time being counted, who may scrutinize the count in accordance with the rules which may be adopted by said board. When the counting and tabulating of the votes for and against any proposed amendment of the constitution or for and against any question submitted to the electors of the state is taking place, said board shall admit within such railed space at least two republicans and two democrats, with like privileges as provided herein for candidates and their representatives. Such representatives shall be authorized in writing by the candidates whom they severally represent, and each of such republicans and democrats shall be authorized in writing by the chairman of the state central committee of the political party to which he belongs. The provisions of this section shall not be construed to prevent said board from admitting, in their discretion, other persons within said railed space during such counting and tabulating.

SEC. 6. At the sessions of said board for counting and tabulating provided for by this chapter, only the package containing the ballots from one voting-district shall be unsealed at one time, and the counting, tabulating, and resealing thereof provided for

Sessions of said board.

Of the scrutiny of the count of ballots.

In counting ballots, only one package to be unsealed at one time.  
Pub. Laws, 1229, Sec. 16, April 26, 1905.

in section eleven of this chapter shall be completed before the counting and tabulating of those from another voting-district is commenced, In case it becomes necessary for said board to take a recess or adjournment during the counting and tabulating of the ballots from any voting-district, such ballots shall be placed in a package and sealed by affixing to such package adhesive labels sufficient in number to prevent the abstraction of any ballots from or the adding of any ballots to the contents of such package, and at least two members of said board shall affix their signatures in ink to each of said labels. If both of the said members are of the same political party, said board shall also allow some person of another political party to affix his signature in ink to each of said labels.

Deputy-sheriffs  
to be in attend-  
ance at meet-  
ings of said  
board.

SEC. 7. The sheriff of Providence county shall assign so many of his deputies as said board may request to attend upon said board during its session, to preserve order thereat. The orders of the presiding officer of said board at such meetings shall be obeyed by said deputies, and they shall remove from the room where any such session is being held any person, not a member of said board, designated by him. Any person who shall disturb or interfere with the proceedings of any such session shall be deemed guilty of a misdemeanor and shall be fined not exceeding three hundred dollars or imprisoned not exceeding three months, or both, in the discretion of the court.

Certificate of  
names of gen-  
eral officers  
elected to be  
sent to gover-  
nor.

SEC. 8. Said board shall, immediately after completing the counting and tabulating of the ballots cast for general officers and senators and representatives in the general assembly and declaring the result thereof, furnish the governor a certificate of the names of the persons who have been elected general officers for the ensuing year, and shall also furnish to the secretary of state a certificate of the names of the persons elected as senators and representatives in the general assembly. Whenever the count and tabulation of said board shall show that there has been a failure to elect a senator or representative or any of them in

Names of mem-  
bers of general  
assembly elect-  
ed to be sent to  
secretary of  
state.  
Pub. Laws,  
1229, Sec. 17,  
April 26, 1905.

any town or city, said board shall forthwith certify the fact to the secretary of state, specifying which of such officers were not elected.

SEC. 9. In case the ballots, or any of them, from any town, ward, or district meeting are lost or destroyed, said board may use the record of ballots cast at such meeting, contained in the record-book provided by law to be kept by the moderator or warden and clerk thereof, in the same manner and with the same effect as it might have used such lost or destroyed ballots, and it may require the delivery to it of such record-book, for that purpose, by the officer having the custody thereof. In case any package containing ballots which it is the duty of said board to count and tabulate is delivered to it with any of the seals thereof broken, or in condition to indicate that such package has been opened since being sealed as provided by law, said board, if convinced upon investigation that such package does not contain all the ballots, and no others, cast, at the meeting where it was sealed, for the class of officers, propositions or questions named in the endorsement upon such package, may so use such record or may use in its count and tabulation, as the result of the voting at such meeting, such number of votes for the respective candidates or for and against the propositions or questions voted for or on thereat as such investigation in its opinion proves to be correct.

In case ballots are lost or destroyed the record contained in record-books required by law to be kept, may be taken.

Broken packages of ballots.

SEC. 10. In case the return made to the said board by the supervisors of election, or any of them, of any town, ward, or district meeting shall contain any statement which makes it desirable or proper, in the opinion of said board, to investigate the conduct of the election thereat, said board may investigate the truth of the allegations contained in such supervisors' returns, and of all the circumstances connected with the holding of such election, and shall use in their count and tabulation, as the result of the voting at such meeting, such number of votes for the respective candidates and for and against the proposi-

May investigate allegations contained in supervisors' returns.

tions or questions voted for or on thereat as such investigation, in their opinion, proves to be correct.

Upon completion of count of every package of ballots, same to be sealed up immediately.

SEC. 11. When the counting and tabulating of the ballots cast at any one voting-place or voting-district provided for in this chapter has been completed, such ballots, together with the moderators' or wardens', clerks' and supervisors' returns pertaining to the same, shall be again sealed up before the counting and tabulating of those from another voting-district is commenced, and said board shall not take any recess or adjournment while any of said ballots are unsealed. The sealing herein provided for shall be done by affixing to the packages containing said ballots adhesive labels sufficient in number to prevent the abstraction of any ballots from or the adding of any ballots to the contents of such packages, and the presiding officer and secretary of said board shall affix their signatures in ink to each of said labels. Whenever both of the officers whose duty it is to sign such labels are of the same political party, they shall allow some elector of another political party to affix his signature in ink to all of such labels. Each package so sealed shall be endorsed by the secretary of said board with the name of the town or city and the number of the ward or voting-district where, and the date of the election at which, such ballots were given in. Thereafter no such sealed package shall, upon any pretence whatever, be re-opened by any person except upon order of the general assembly; but shall be held by said board subject to such order until the first day of January in the second year after such ballots were cast, when they may be destroyed.

Manner of sealing up packages of ballots.  
Pub. Laws,  
1229, Sec. 18,  
April 26, 1905.

Endorsement of packages so sealed.

To keep separate books of record of ballots cast.

SEC. 12. Said board shall keep separate books of record of the ballots cast for the different classes of officers which it is its duty to count and tabulate, that is to say: a book of record of ballots cast for electors of president and vice-president; a book of record of ballots cast for representatives in congress; a book of record of ballots cast for general officers; and in like manner a book of record of the ballots cast for each class of officers which

may by law hereafter be required to be counted and tabulated by said board. Each of said books respectively shall contain a record of the number of ballots cast in each voting-district for each candidate according to the counting and tabulating of said board; the number cast in each voting-district for each candidate according to the certificates of the moderators or wardens and clerks; the total number cast for each candidate in each ward, town, and city according to such counting and to such certificates; the total number cast for each candidate in the state or congressional district, as the case may be, according to such counting and to such certificates; a statement of which candidates are elected; and such other pertinent facts as said board may deem proper. Said board shall also keep a book of record of the votes cast for and against any proposition of amendment of the constitution and a book of record of the votes cast for and against all questions submitted to the electors of the state, with like detail as provided herein in relation to ballots cast for officers.

SEC. 13. Said board shall have an office in the state house, and its sessions for counting and tabulating shall be held in such office, except when, in the opinion of said board, public interest requires that they be held in some more commodious room in said building. Office and sessions.

SEC. 14. Said board shall have a seal, and shall cause the same to be affixed to all certificates and statements issued by it. To have a seal.

SEC. 15. Said board may purchase for its use all books, stationery, office fixtures, counting-machines, and other articles necessary or convenient for its use in the discharge of the duties imposed upon it by law, and may incur all expenses incident thereto; and the state auditor is hereby authorized and directed to draw his order upon the general treasurer in payment therefor, and for the salaries and clerical assistance provided for in this chapter, out of any money in the treasury not otherwise appropriated, upon receipt of vouchers approved by said board. Supplies, etc.

May employ a secretary and clerical assistance.

SEC. 16. Said board may employ a secretary at an annual salary of one thousand dollars, and may employ such other clerical assistance as may be necessary to enable it to seasonably complete its work, at an expense not exceeding eight hundred dollars per annum.

Compensation of board.

SEC. 17. The members of said board shall each receive an annual salary of five hundred dollars, and the sum of forty-three hundred dollars is hereby appropriated for the payment of such salaries and the salary of the secretary of said board and for clerical assistance.

To be engaged to faithful performance of duties.

SEC. 18. The members, secretary, and assistants of said board shall be sworn to the faithful and impartial performance of their duties, and any such member, secretary, or assistant who shall willfully neglect to perform the duties by this chapter devolved upon him at the time herein provided, or who shall make any fraudulent count, tabulation, certificate, or statement, or in any way willfully so perform his duties as to defeat the obtaining of a correct count and tabulation of the ballots committed to said board, shall be fined not exceeding three thousand dollars or imprisoned not exceeding three years, or both, in the discretion of the court.

May administer oaths, summon witnesses, and compel production of papers, books, etc.

SEC. 19. The members of said board are hereby severally authorized to administer oaths, and said board, in all cases of every nature pending before it, is hereby authorized and empowered to summon witnesses by subpoena signed by the secretary of said board and to compel such witnesses to attend and testify in the same manner as witnesses are compelled to appear and testify in any court, and said board is authorized to compel the production of all papers, books, documents, records, certificates, or other legal evidence that may be necessary or proper for the determination and decision of any question or the discharge of any duty required by law of said board, by issuing a subpoena *duces tecum* signed by its secretary; and every person disobeying any such writ shall be considered as in contempt,

and said board may punish any contempt of its authority in like manner as contempt may be punished by any court. Any person who shall willfully swear falsely in any proceeding, matter, or hearing before said board shall be deemed guilty of the crime of perjury.

SEC. 20. Wherever in this chapter it is provided that any act shall be done by said board, it may be lawfully done by a majority thereof.

Majority of board may act lawfully.

## CHAPTER 20.

Gen. Laws,  
1896, Ch. 14.

### GENERAL PROVISIONS CONCERNING ELECTIONS.

SECTION 1. All persons entitled to vote shall be protected from arrest in civil cases, on the days of election for city or town officers, and for state officers, representatives in congress, and electors of president and vice-president of the United States; and on the day preceding and day following such election.

Voters are exempted from arrest, when.  
2 R. I. 75.

SEC. 2. (As amended by Section 33, Chapter 640, Public Laws.) Every person who in any election shall fraudulently vote or attempt to vote, not being qualified, notwithstanding his name may be on the voting-list at the polling-place where he shall vote or attempt to vote; or who shall vote or attempt to vote in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person; or having voted in one town, ward, representative-district, or voting-district, whether his vote in such case was legal or not, shall vote or attempt to vote in the same or in another town, ward, representative-district, or voting-district, or who shall fraudulently vote or attempt to vote in a town, ward, representative-district, or voting-district other than in the town, ward, representative-district, or voting-district wherein he has his residence and home at the time of his voting or attempting to vote, or who shall aid, counsel, or procure any other person to so vote or attempt to vote, shall be punished by a fine of

Penalty for fraudulently voting or attempting to vote.

not less than five hundred dollars nor more than one thousand dollars, or by imprisonment not less than six months nor more than two years, or by both such fine and imprisonment in the discretion of the court, and no person after conviction of such offence shall be permitted to vote in any election or upon any proposition pending before the people, or to hold any public office. Voting, for the purposes of this chapter, shall consist in the depositing, or offering for deposit, a ballot, whether such ballot has been marked or not; except in cases where voting-machines are used, and then shall consist in entering the booth of a voting-machine or recording or offering to record a vote.

Penalty for  
bribing or in-  
timidating  
voters.

Pub. Laws,  
1428, April 5,  
1907.

SEC. 3. Every person who shall directly or indirectly give, or offer, or agree to give to any elector or to any person for the benefit of any elector, any sum of money or other valuable consideration for the purpose of inducing such elector to give in or withhold his vote at any election in this state, or by way or reward for having voted or withheld his vote, or who shall use any threat or employ any means of intimidation for the purpose of influencing such elector to vote or withhold his vote for or against any candidate or candidates or proposition pending at such election, shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both such fine and imprisonment in the discretion of the court, and no person after conviction of such offence shall be permitted to vote in any election or upon any proposition pending before the people, or to hold any public office; and no evidence given by any witness testifying upon the trial of any charge of bribery shall be used against the person giving such evidence.

Limitation of  
prosecutions;  
complainant,  
how paid.

SEC. 4. All prosecutions for offences against the provisions of this chapter shall be commenced within one year after the same shall have been committed, and not afterwards. And



upon the presentation of a certificate of the clerk of any court of the final conviction in such court of any person under the provisions of this chapter, the state auditor is hereby authorized and directed to draw his order on the general treasurer for the sum of fifty dollars, and deliver the same to the person complainant in such prosecution.

SEC. 5. Whenever any person upon whom is imposed any duty connected with the calling, warning or conducting of any town, ward or district meeting, or with the canvassing or the lists of voters for use at such meetings, or with the counting of the votes cast at the same, or the declaring of the result of such votes, shall fail, neglect or refuse to perform such duty within the time specified by law for the performance of the same, the supreme court shall forthwith, upon the petition of any citizen of the city or town where such failure, neglect or refusal occurred, issue its writ of mandamus ordering the person so failing, neglecting or refusing, to perform the duties in question within twenty-four hours from the time of the issuance of said writ, and if such failure, neglect, or refusal shall continue beyond the twenty-four hours specified in said writ, said court shall immediately appoint some suitable person to at once perform said duties, and the person so refusing to obey said writ of mandamus shall, in addition to the penalties prescribed by law for such failure, neglect, or refusal to perform his said duties, be liable to such further penalties for contempt of court as said court may impose for failure to obey said writ.

Supreme court  
may issue writ  
of mandamus,  
when.  
25 R. I. 522.

Penalty for ne-  
glect to obey  
the court.

SEC. 6. The person appointed by said court, as aforesaid, shall proceed immediately to perform the duties devolved upon him by said court, and the acts done by him in pursuance of such appointment shall be as effectual and valid in all respects as if the same had been done and performed by the person so failing, neglecting or refusing, at the time and in the manner provided by law.

Power to act of  
person ap-  
pointed by the  
court.  
25 R. I. 523.

To be deemed  
an officer of the  
court; penalty  
for hindering  
his action.  
25 R. I. 523.

SEC. 7. The person so appointed by said court, as aforesaid, shall be deemed to be an officer of said court and shall have full and free access to all records and papers necessary to enable him to perform the duties devolved upon him by said court, and any person interfering with or in any way hindering his discharge of said duties shall be liable to such penalties as may be prescribed by said court for contempt, and it shall be the duty of the sheriffs of the several counties and their deputies to see that the provisions of this chapter are enforced within their respective counties.

Words "bal-  
lots" and  
"votes" con-  
strued.

SEC. 8. Wherever the word "ballots" or the word "votes" is used, it shall be construed to include the evidence of the intent of the electors as shown by the tally-sheets or records made upon paper by any voting-machine used in voting in any election or upon any proposition of amendment or question submitted to the electors of the state.

#### EXTRACT FROM TITLE IV.

#### OF LEGISLATIVE PROCEEDINGS AND OF STATUTES.

Gen. Laws,  
1896, Ch. 19.

#### CHAPTER 25.

#### (AS AMENDED BY SECTION 34, CHAPTER 640, PUBLIC LAWS.) OF THE CONSTITUTION AND ORGANIZATION OF THE GENERAL ASSEMBLY.

Senate, how  
constituted.

SECTION 1. The senate shall consist of the lieutenant-governor and of one senator from each city and town in the state.

House, how  
constituted.

SEC. 2. The house of representatives shall consist of one hundred members.

Towns entitled  
to one repre-  
sentative each.

SEC. 3. Each of the following named towns, no one of which has one one-hundredth of the population of the state, shall elect one representative, namely: the towns of Barrington, Charlestown, East Greenwich, Exeter, Foster, Gloucester, Jamestown,

Hopkinton, Little Compton, Middletown, Narragansett, New Shoreham, North Kingstown, North Providence, North Smithfield, Portsmouth, Richmond, Scituate, Smithfield, South Kingstown, Tiverton, and West Greenwich.

SEC. 4. The city of Providence, which has more than one-fourth of the population of the state and accordingly is limited by the constitution to no more than one-fourth of the whole number of the members, shall elect twenty-five representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

City of Providence to have twenty-five representatives.

SEC. 5. The remaining fifty-three members of the house of representatives are divided among the remaining cities and towns of the state, upon the basis of the population of the same and according to the following ratio of their population:—one representative for every five thousand and thirty-two inhabitants of each of said cities and towns, and one additional representative for every fraction of the population of each of them exceeding one-half the ratio aforesaid, namely:—

Remaining fifty-three representatives distributed on certain ratio.

From the city of Pawtucket there shall be elected ten representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

Pawtucket to have ten representatives.

From the city of Woonsocket there shall be elected eight representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

Woonsocket to have eight representatives.

From the city of Newport there shall be elected five representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

Newport to have five representatives.

From the town of Warwick there shall be elected five representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Warwick to have five representatives.

From the city of Central Falls there shall be elected five representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

Central Falls to have five representatives.

Cranston to have four representatives.

From the city of Cranston there shall be elected four representatives, that is, one representative shall be elected by each of the districts into which said city is hereinafter divided.

East Providence to have three representatives.

From the town of East Providence there shall be elected three representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Cumberland to have two representatives.

From the town of Cumberland there shall be elected two representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Lincoln to have two representatives.

From the town of Lincoln there shall be elected two representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Westerly to have two representatives.

From the town of Westerly there shall be elected two representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Bristol to have two representatives.

From the town of Bristol there shall be elected two representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Burrillville to have two representatives.

From the town of Burrillville there shall be elected two representatives, that is, one representative shall be elected by each of the districts into which said town is hereinafter divided.

Coventry, Johnston, and Warren to have one representative each.

The towns of Coventry, Johnston, and Warren shall each elect one representative.

## SEC. 6.—PROVIDENCE.

The city of Providence is hereby divided into twenty-five representative-districts, bounded and described as follows:—

Providence;  
First District.

(1) The First Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of the Providence river in the line of James street, extending easterly through the center of James street to Benefit street; northwesterly through the center of Benefit street to John street; easterly through the center of John street to

Governor street; southerly through the center of Governor street to Fremont street; easterly through the center of Fremont street and the line of Fremont street extended to the city line in the Seekonk river; southwesterly and westerly on said line to Providence harbor, and through Providence harbor to a point in the line of Henderson street extended; westerly through Providence harbor to the center line of Providence river; northwesterly along the center of Providence river to the place of beginning.

(2) The Second Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of the northerly line of Burnside bridge, extending thence in a straight line to the northeasterly corner of Exchange bridge; thence northerly in a straight line through Canal street to Friend street; easterly through the center of Friend street to North Main street; southerly through the center of North Main street to Waterman street; easterly through the center of Waterman street to Fones alley; easterly through the center of Fones alley to Brown street; northerly through the center of Brown street to Angell street; easterly through the center of Angell street and the line of Angell street to the city line in the Seekonk river; southwesterly on said line to the line of Fremont street; westerly in the line of and through the center of Fremont street to Governor street; northerly through the center of Governor street to John street; westerly through the center of John street to Benefit street; southeasterly through the center of Benefit street to James street; westerly through the center of James street to the center of the Providence river; thence northwesterly following the center of Providence river to the place of beginning.

Providence;  
Second District.

(3) The Third Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the Providence and Pawtucket boundary line where it is crossed by the Moshassuck river, extending easterly on said line to the city line in the Seekonk river; southerly on said line to the

Providence;  
Third District.

line of Angell street; westerly in the line of and through the center of Angell street to Hope street; through the center of Hope street in a general northerly direction to Mount Hope avenue; westerly through the center of Mount Hope avenue to Ivy street; northeasterly through the center of Ivy street to Locust street; northwesterly through the center of Locust street to Camp street; northeasterly through the center of Camp street to Duncan avenue; westerly through the center of Duncan avenue to North Main street; southerly through the center of North Main street to Pettis street; westerly through the center of Pettis street to the Moshassuck river; and through the center of the Moshassuck river in a northerly direction to the place of beginning.

Providence;  
Fourth Dis-  
trict.

(4) The Fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of North Main street and Duncan avenue, extending easterly through the center of Duncan avenue to Camp street; southwesterly through the center of Camp street to Locust street; southeasterly through the center of Locust street to Ivy street; southwesterly through the center of Ivy street to Mount Hope avenue; easterly through the center of Mount Hope avenue to Hope street; southerly through the center of Hope street to Angell street; westerly through the center of Angell street to Brown street; southerly through the center of Brown street to Fones alley; westerly through the center of Fones alley to Waterman street; westerly through the center of Waterman street to Benefit street; northerly through the center of Benefit street to North Main street; northerly through the center of North Main street to the place of beginning.

Providence;  
Fifth District.

(5) The Fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the Providence and North Providence boundary line where it is crossed by Charles street, extending in a general easterly direction on said line and the Providence and Pawtucket boundary

line to the Moshassuck river; southerly through the center of the Moshassuck river to Pettis street; easterly through the center of Pettis street to North Main street; southerly through the center of North Main street to Stevens street; westerly through the center of Stevens street to Randall square; northwesterly through the center of Randall square to Charles street; northwesterly through the center of Charles street to the place of beginning.

(6) The Sixth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the Providence-North Providence boundary line where it is crossed by Admiral street, extending northeasterly and easterly on said line to Charles street; southerly through the center of Charles street to Admiral street; westerly through the center of Admiral street to Fillmore street; southwesterly through the center of Fillmore street to Douglas avenue; northwesterly through the center of Douglas avenue to Admiral street; northwesterly through the center of Admiral street to the place of beginning.

Providence;  
Sixth District.

(7) The Seventh Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Admiral street and Fillmore street, extending easterly through the center of Admiral street to Charles street; southeasterly through the center of Charles street to Randall square; southeasterly through the center of Randall square to Stevens street; easterly through the center of Stevens street to North Main street; southerly through the center of North Main street to Benefit street; southerly through the center of Benefit street to Star street; westerly through the center of Star street to North Main street; southerly through the center of North Main street to Smith street; westerly through the center of Smith street to the easterly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; northerly on the easterly line of said property to Orms street; westerly through the center

Providence;  
Seventh District.

of Orms street to Candace street; northerly through the center of Candace street to Douglas avenue; southeasterly through the center of Douglas avenue to Fillmore street; northeasterly through the center of Fillmore street to the place of beginning.

Providence;  
Eighth Dis-  
trict.

(8) The Eighth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the Providence and North Providence boundary line where it is crossed by Admiral street, extending southeasterly through the center of Admiral street to Douglas avenue; southeasterly through the center of Douglas avenue to Candace street; southerly through the center of Candace street to Chalkstone avenue; westerly through the center of Chalkstone avenue to Harold street; southerly through the center of Harold street to Regent avenue; westerly through the center of Regent avenue to Alton street; southerly through the center of Alton street to Wisdom avenue; westerly through the center of Wisdom avenue to Academy avenue; southerly through the center of Academy avenue to Hendrick street; westerly through the center of Hendrick street to Mount Pleasant avenue; northerly through the center of Mount Pleasant avenue to Chalkstone avenue; westerly through the center of Chalkstone avenue to Manton avenue; westerly through the center of Manton avenue to the Providence and North Providence boundary line; northwesterly, northerly, and northeasterly on said line to the place of beginning.

Providence;  
Ninth District.

(9) The Ninth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Manton avenue bridge over the Woonasquacket river, extending easterly through the center of Manton avenue to Chalkstone avenue; easterly through the center of Chalkstone avenue to Mount Pleasant avenue; southerly through the center of Mount Pleasant avenue to Hendrick street; easterly through the center of Hendrick street to Academy avenue; southerly through the center of Academy avenue to



Atwell's avenue; easterly through the center of Atwell's avenue to Bowdoin street; southerly through the center of Bowdoin street to Appleton street; northwesterly through the center of Appleton street to Julian street; southwesterly through the center of Julian street to Manton avenue; northwesterly through the center of Manton avenue to Erastus street; northerly through the center of Erastus street to Atwell's avenue; westerly through the center of Atwell's avenue to Manton avenue; westerly through the center of Manton avenue to the westerly line of the Dyerville Mfg. Company's plat, recorded in the recorder's office, Providence, on plat card 601; southwesterly on said line to the center of the Woonasquatucket river; northwesterly through the center of said river to the place of beginning.

(10) The Tenth Representative -District shall consist of all that part of said city bounded by a line beginning at a point in the center of the Woonasquatucket river opposite the westerly line of the Dyerville Mfg. Company's plat, recorded in the recorder's office, Providence, on plat card 601; extending northeasterly on said line to Manton avenue; easterly through the center of Manton avenue to Atwell's avenue; easterly through the center of Atwell's avenue to Erastus street; southerly through the center of Erastus street to Manton avenue; southeasterly through the center of Manton avenue to Olneyville square; southwesterly through Olneyville square to Plainfield street; southwesterly and westerly through the center of Plainfield street to Lawrence street; southeasterly through the center of Lawrence street to Bend street; southwesterly through the center of Bend street to Barrows street; southeasterly through the center of Barrows street to Pocasset avenue; southwesterly through the center of Pocasset avenue to the city line; thence westerly, northwesterly, and easterly on said boundary line to the center of the Woonasquatucket river; thence by the center of said river to the place of beginning.

Providence;  
Tenth District.

Providence;  
Eleventh Dis-  
trict.

(11) The Eleventh Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Plainfield street and Lawrence street, extending easterly and northeasterly through the center of Plainfield street to Atwood street; southeasterly through the center of Atwood street to McDonough street; easterly through the center of McDonough street; crossing the old Providence and Springfield railroad tracks, to the westerly main line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; southwesterly on said westerly line to the line of Wendell street; easterly in the line of and through the center of Wendell street to Messer street; southeasterly through the center of Messer street to Cranston street; southwesterly through the center of Cranston street to the city line; thence northwesterly and westerly on said line to Pocasset avenue; northeasterly through the center of Pocasset avenue to Barrows street; northwesterly through the center of Barrows street to Bend street; northeasterly through the center of Bend street to Lawrence street; northwesterly through the center of Lawrence street to the place of beginning.

Providence;  
Twelfth Dis-  
trict.

(12) The Twelfth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Plainfield street opposite Atwood street, extending northeasterly through the center of Plainfield street to Olneyville square; easterly through the center of Olneyville square to Westminster street; easterly through the center of Westminster street to Broadway; northeasterly through the center of Broadway to the westerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; northeasterly on said line to Atwell's avenue; easterly through the center of Atwell's avenue to Knight street; southeasterly through the center of Knight street to Swiss street; southwesterly through the center of Swiss street to Decatur street; southeasterly through the center of Decatur street to Gesler street; south-

westerly through the center of Gesler street to Almy street; southeasterly through the center of Almy street to Broadway; southwesterly through the center of Broadway to Bainbridge avenue; southerly through the center of Bainbridge avenue to Westminster street; easterly through the center of Westminster street to Sycamore street; southerly through the center of Sycamore street to Willow street; westerly through the center of Willow street to Messer street; southeasterly through the center of Messer street to Wendell street; westerly through the center of Wendell street and in the line of Wendell street to the westerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; northerly on said line to McDonough street; westerly through the center of McDonough street to Atwood street; northwesterly through the center of Atwood street to the place of beginning.

(13) The Thirteenth Representative-District shall consist of all that part of said city bounded by a line beginning at the intersection of Wisdom avenue and Academy avenue, extending easterly through the center of Wisdom avenue to Alton street; northerly through the center of Alton street to Regent avenue; easterly through the center of Regent avenue to Harold street; northerly through the center of Harold street to Chalkstone avenue; easterly through the center of Chalkstone avenue to Ayrault street; southerly through the center of Ayrault street to Valley street; southwesterly through the center of Valley street to Rathbone street; southeasterly through the center of Rathbone street to the Woonasquatucket river; southwesterly through the center of the Woonasquatucket river to Atwell's avenue; easterly through the center of Atwell's avenue to the westerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; southwesterly on said line to Broadway; southwesterly through the center of Broadway to Westminster street; westerly through the center of Westminster street to Olneyville square; westerly through the center of

Providence;  
Thirteenth Dis-  
trict.

Olneyville square to Manton avenue; northwesterly through the center of Manton avenue to Julian street; northeasterly through the center of Julian street to Appleton street; southeasterly through the center of Appleton street to Bowdoin street; northerly through the center of Bowdoin street to Atwell's avenue; westerly through the center of Atwell's avenue to Academy avenue; northerly through the center of Academy avenue to the place of beginning.

Providence:  
Fourteenth  
District.

(14) The Fourteenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of the Woonasquatucket river where it is crossed by Atwell's avenue, extending northeasterly through the center of said river to Acorn street; southerly through the center of Acorn street to West Exchange street; westerly through the center of West Exchange street to Murphy street; southerly through the center of Murphy street to Atwell's avenue; crossing Atwell's avenue to the northwesterly corner of the fire station, located at the corner of Atwell's avenue and America street; following the westerly and southerly sides of said fire station to America street; southerly through the center of America street to Federal street; southwesterly through the center of Federal street to Sutton street; southerly through the center of Sutton street to Broadway; southwesterly through the center of Broadway to Almy street; northerly through the center of Almy street to Gesler street; easterly through the center of Gesler street to Decatur street; northerly through the center of Decatur street to Swiss street; easterly through the center of Swiss street to Knight street; northwesterly through the center of Knight street to Atwell's avenue; westerly through the center of Atwell's avenue to the place of beginning.

Providence:  
Fifteenth Dis-  
trict.

(15) The Fifteenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on Broadway, opposite Bainbridge avenue, extending northeasterly through the center of Broadway to Sutton street;

northerly through the center of Sutton street to Federal street; easterly through the center of Federal street to Dean street; southeasterly through the center of Dean street to Westminster street; southwesterly through the center of Westminster street to Cranston street; southwesterly through the center of Cranston street to Bridgham street; northwesterly through the center of Bridgham street to Division street; southwesterly through the center of Division street to Dexter street; northerly through the center of Dexter street to Westminster street; westerly through the center of Westminster street to Bainbridge avenue; northerly through the center of Bainbridge avenue to the place of beginning.

(16) The Sixteenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on Chalkstone avenue, opposite Ayrault street, extending northeasterly through the center of Chalkstone avenue to Candace street; southerly through the center of Candace street to Orms street; easterly through the center of Orms street to easterly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; southerly on said line to Smith street; easterly through the center of Smith street to North Main street; northwesterly through the center of North Main street to Star street; easterly through the center of Star street to Benefit street; southeasterly through the center of Benefit street to Waterman street; southwesterly through the center of Waterman street to North Main street; northwesterly through the center of North Main street to Friend street; southwesterly through the center of Friend street to Canal street; thence in a straight line to the northeasterly corner of Exchange bridge; thence in a straight line to a point in the center of the northerly line of Burnside bridge; thence southeasterly through the center of Providence river to a point on the line of Hay street extended; northwesterly in the line of and through the center of Hay street to Friendship street; southwesterly through the

Providence;  
Sixteenth Dis-  
trict.

center of Friendship street to Richmond street; southeasterly through the center of Richmond street to Ship street; westerly through the center of Ship street to Elbow street; southwesterly through the center of Elbow street to Chestnut street; northwesterly through the center of Chestnut street to Weybosset street; westerly through the center of Weybosset street to Burrill street; northwesterly through the center of Burrill street to Westminster street; southwesterly through the center of Westminster street to Walnut street; northwesterly through the center of Walnut street to Washington street; northeasterly through the center of Washington street to Empire street; northwesterly through the center of Empire street to Fountain street; northeasterly through the center of Fountain street to Aborn street; northwesterly through the center of Aborn street to Sabin street; northeasterly through the center of Sabin street to Mathewson street; northwesterly through the center of Mathewson street and the line of Mathewson street to the southerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; westerly on said line to Acorn street; northwesterly through the center of Acorn street to the Woonasquatucket river; easterly through the center of the Woonasquatucket river to Rathbone street; northwesterly through the center of Rathbone street to Valley street; northeasterly through the center of Valley street to Ayrault street; northerly through the center of Ayrault street to the place of beginning.

Providence;  
Seventeenth  
District.

(17) The Seventeenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the southerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co. where it is crossed by Acorn street, extending easterly in said line to a point in the line of Mathewson street; southeasterly in the line of and through the center of Mathewson street to Sabin street; southwesterly through the center of Sabin street to Aborn street; south-

easterly through the center of Aborn street to Fountain street; southwesterly through the center of Fountain street to Empire street; southeasterly through the center of Empire street to Washington street; southwesterly through the center of Washington street to Jackson street; northwesterly through the center of Jackson street to Cope street; westerly through the center of Cope street to Federal street; westerly through the center of Federal street to America street; northwesterly through the center of America street to the southerly line of the fire station, located at the corner of Atwell's avenue and America street; following the southerly and westerly sides of said fire station to Atwell's avenue; thence northerly through the center of Murphy street to West Exchange street; northeasterly through the center of West Exchange street to Acorn street; northerly through the center of Acorn street to the place of beginning.

(18) The Eighteenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Federal and Dean streets, extending easterly through the center of Federal street to Cope street; easterly through the center of Cope street to Jackson street; southeasterly through the center of Jackson street to Washington street; northeasterly through the center of Washington street to Walnut street; southeasterly through the center of Walnut street to Westminster street; northeasterly through the center of Westminster street to Burrill street; southeasterly through the center of Burrill street to Weybosset street; easterly through the center of Weybosset street to Chestnut street; southeasterly through the center of Chestnut street to Elbow street; southwesterly through the center of Elbow street to Hospital street; southeasterly through the center of Hospital street to Elm street; southwesterly through the center of Elm street to Plain street; southeasterly through the center of Plain street to Point street; southwesterly through the center of Point street to Friendship street; southwesterly through the center of Friend-

Providence;  
Eighteenth  
District.

ship street to Lockwood street; northwesterly through the center of Lockwood street to Broad street; southwesterly through the center of Broad street to Pearl street; northwesterly through the center of Pearl street to Cranston street; northeasterly through the center of Cranston street to Westminster street; northeasterly through the center of Westminster street to Dean street; northwesterly through the center of Dean street to the place of beginning.

Providence;  
Nineteenth  
District.

(19) The Nineteenth Representative District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Willow street and Messer street, extending easterly through the center of Willow street to Sycamore street; northerly through the center of Sycamore street to Westminster street; easterly through the center of Westminster street to Dexter street; southeasterly through the center of Dexter street to Division street; northeasterly through the center of Division street to Bridgham street; southeasterly through the center of Bridgham street to Cranston street; northeasterly through the center of Cranston street to Pearl street; southeasterly through the center of Pearl street to Broad street; southwesterly through the center of Broad street to Elmwood avenue; southwesterly through the center of Elmwood avenue to West Field street; westerly through the center of West Field street to Dexter street; southerly through the center of Dexter street to Hanover street; northwesterly through the center of Hanover street to Cranston street; northeasterly through the center of Cranston street to Messer street; northwesterly through the center of Messer street to the place of beginning.

Providence;  
Twentieth Dis-  
trict.

(20) The Twentieth Representative District shall consist of all that part of said city bounded by a line beginning at a point in the center of Cranston street, opposite Hanover street, extending southeasterly through the center of Hanover street to Dexter street; southwesterly through the center of Dexter street to Potter avenue; southeasterly through the center of



Potter avenue to Melrose street; southeasterly through the center of Melrose street to Gallatin street; southwesterly through the center of Gallatin street and in the line of Gallatin street to the western line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; southeasterly on said line to the Cranston-Providence boundary line; thence westerly and northwesterly on said line to Cranston street; northeasterly through the center of Cranston street to the place of beginning.

(21) The Twenty-first Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Dexter street, opposite West Field street, extending easterly through the center of West Field street to Elmwood avenue; northeasterly through the center of Elmwood avenue to Broad street; northeasterly through the center of Broad street to Lockwood street; southeasterly through the center of Lockwood street to West Clifford street; southwesterly through the center of West Clifford street to Dudley street; southeasterly through the center of Dudley street to Prairie avenue; southerly through the center of Prairie avenue to Public street; southwesterly through the center of Public street to Elmwood avenue; southwesterly through the center of Elmwood avenue to Potter avenue; northwesterly through the center of Potter avenue to Dexter street; northeasterly and northwesterly through the center of Dexter street to the place of beginning.

Providence;  
Twenty-first  
District.

(22) The Twenty second Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Elmwood avenue and Potter avenue, extending northeasterly through the center of Elmwood avenue to Public street; easterly through the center of Public street to Prairie avenue; southerly through the center of Prairie avenue to Reynolds avenue; easterly through the center of Reynolds avenue to Burnside street; southerly through the center of Burnside street to Thurber's avenue; westerly through the center of Thurber's avenue to Broad street; southeasterly

Providence;  
Twenty-  
second Dis-  
trict.

through the center of Broad street to the northerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; southwesterly on said line to a line running due north and south through Roger Williams Park to a point on the city line where it is crossed by Elm Brook; thence by said north and south line to said point in the Cranston-Providence boundary line; northwesterly, northerly, and westerly on said boundary line to the westerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; thence in a general northerly direction on said railroad line to a point in the line of Gallatin street; easterly in the line of and through the center of Gallatin street to Melrose street; northwesterly through the center of Melrose street to Potter avenue; northwesterly through the center of Potter avenue to the place of beginning.

Providence;  
Twenty-third  
District.

(23) The Twenty-third Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Friendship street and Lockwood street; extending northeasterly through the center of Friendship street to Point street; easterly through the center of Point street to Plain street; southerly through the center of Plain street to Lockwood street; southeasterly through the center of Lockwood street to Hospital street; southeasterly through the center of Hospital street to Eddy street; southwesterly through the center of Eddy street to Dudley street; westerly through the center of Dudley street to Culver street; southerly through the center of Culver street to Bishop street; southwesterly through the center of Bishop street to Plain street; southerly through the center of Plain street to Public street; southwesterly through the center of Public street to Prairie avenue; northerly through the center of Prairie avenue to Dudley street; northwesterly through the center of Dudley street to West Clifford street; northeasterly through the center of West Clifford street to Lockwood street; northwesterly through the center of Lockwood street to the place of beginning.

(24) The Twenty-fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Plain street, opposite Elm street, extending easterly through the center of Elm street to Hospital street; northwesterly through the center of Hospital street to Elbow street; northeasterly through the center of Elbow street to Ship street; easterly through the center of Ship street to Richmond street; northwesterly through the center of Richmond street to Friendship street; northeasterly through the center of Friendship street to Hay street; southeasterly in the line of Hay street, extended to the center of Providence river; southeasterly in the center of Providence river and Providence harbor to the line of Oxford street; southwesterly in the line of and through the center of Oxford street to Eddy street; northerly through the center of Eddy street to Sayles street; westerly through the center of Sayles street to Burnside street; northerly through the center of Burnside street to Reynolds avenue; westerly through the center of Reynolds avenue to Prairie avenue; northerly through the center of Prairie avenue to Public street; easterly through the center of Public street to Plain street; northerly through the center of Plain street to Bishop street; northeasterly through the center of Bishop street to Culver street; northerly through the center of Culver street to Dudley street; easterly through the center of Dudley street to Eddy street; northeasterly through the center of Eddy street to Hospital street; northwesterly through the center of Hospital street to Lockwood street; northwesterly through the center of Lockwood street to Plain street; northerly through the center of Plain street to the place of beginning.

Providence;  
Twenty-fourth  
District.

(25) The twenty-fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Broad street, opposite Thurber's avenue, extending easterly through the center of Thurber's avenue to Burnside street; northerly through the center of Burnside street to Sayles street; easterly through the center of Sayles street to

Providence;  
Twenty-fifth  
District.

Eddy street; southerly through the center of Eddy street to Oxford street; northeasterly through the center of Oxford street and the line of Oxford street to the city line in Providence harbor; thence following said line around Starve Goat Island and westerly, southerly, and westerly to its intersection with Elm Brook at Park avenue; thence due north through Roger Williams Park to the northerly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; northeasterly on said line to Broad street; northwesterly through the center of Broad street to the place of beginning.

#### SEC. 7.—PAWTUCKET.

The City of Pawtucket is hereby divided into ten representative-districts, bounded and described as follows:—

Pawtucket;  
First District.

(1) The First Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river at the intersection of the Cumberland, Central Falls, and Pawtucket boundary lines, extending easterly and southerly along the Massachusetts-Rhode Island boundary line to center of Central avenue; northwesterly through the center of Central avenue to the center of Benefit street; westerly through the center of Benefit street to Newport avenue; southerly through the center of Newport avenue to Chaplin street; westerly through the center of Chaplin street to Cottage street; southwesterly through the center of Cottage street to Kenyon avenue; northerly through the center of Kenyon avenue to Webster street; westerly through the center of Webster street to Broadway; southwesterly through the center of Broadway to East street; westerly through the center of East street to Middle street; northerly through the center of Middle street to Eldridge street; westerly through the center of Eldridge street to the Pawtucket-Central Falls boundary line in the Blackstone river; northerly in said boundary line to the place of beginning.

(2) The Second Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river on the Pawtucket-Central Falls boundary line in the line of Eldridge street, extending easterly in the line of and through the center of Eldridge street to North Main street; thence southwesterly through the center of North Main street to the center of Middle street; southerly through the center of Middle street to the center of East street; easterly through the center of East street to Broadway; southerly through the center of Broadway to Gooding street; westerly through the center of Gooding street to Park street; southerly through the center of Park street to Carnation street; easterly through the center of Carnation street to Sabin street; southerly through the center of Sabin street to Cottage street; southwesterly through the center of Cottage street to North Bend street; southerly through the center of North Bend street to Spring street; westerly through the center of Spring street to Howard avenue; northwesterly through the center of Howard avenue to Cottage street; southwesterly through the center of Cottage street and Broadway to Main street; northwesterly through the center of Main street to the center of the Blackstone river; northerly along the center of the Blackstone river to the place of beginning.

Pawtucket;  
Second District.

(3) The Third Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of Broadway and Webster street, extending easterly through the center of Webster street to Kenyon avenue; southerly through the center of Kenyon avenue to Cottage street; northeasterly through the center of Cottage street to Chaplin street; easterly through the center of Chaplin street to Newport avenue; northerly through the center of Newport avenue to Benefit street; easterly through the center of Benefit street to the center of Central avenue; southeasterly through the center of Central avenue to the Rhode Island-Massachusetts boundary line; southerly on said boundary line to Brook street;

Pawtucket;  
Third District.

westerly through the center of Brook street to York avenue; southerly through the center of York avenue to Walcott street; westerly through the center of Walcott street to Ashton street; northerly through the center of Ashton street to Brook street; westerly through the center of Brook street to North Bend street; northerly through the center of North Bend street to Cottage street; northeasterly through the center of Cottage street to Sabin street; northerly through the center of Sabin street to Carnation street; westerly through the center of Carnation street to Park street; northerly through the center of Park street to Gooding street; easterly through the center of Gooding street to Broadway; northerly through the center of Broadway to the place of beginning.

Pawtucket;  
Fourth Dis-  
trict.

(4) The Fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on Main street where it is intersected by the Pawtucket river, extending southeasterly through the center of Main street to the center line of Broadway; thence northeasterly through the center line of Broadway to the center line of Cottage street; thence northeasterly through the center of Cottage street to Howard avenue; southeasterly through the center of Howard avenue to Spring street; easterly through the center of Spring street to North Bend street; southerly through the center of North Bend street to Brook street; easterly through the center of Brook street to Ashton street; southerly through the center of Ashton street to Walcott street; easterly through the center of Walcott street to York avenue; northerly through the center of York avenue to Brook street; southeasterly through the center of Brook street to the Rhode Island-Massachusetts boundary line; southerly on said boundary line to the Pawtucket-East Providence boundary line; westerly on said boundary line to Prospect street; northwesterly through the center of Prospect street to Exeter avenue; northeasterly through the center of Exeter avenue to Rhode Island avenue; northeasterly through

the center of Rhode Island avenue to Brewster street; northerly through the center of Brewster street to Division street; westerly through the center of Division street to Prospect street; northwesterly through the center of Prospect street to School street; northerly through the center of School street to Main street; westerly and northwesterly through the center of Main street to the place of beginning.

(5) The Fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on Main street where it is intersected by the center line of Pawtucket river, extending southeasterly and easterly through the center of Main street to School street; southerly through the center of School street to Prospect street; southeasterly through the center of Prospect street to Division street; easterly through the center of Division street to Brewster street; southerly through the center of Brewster street to Rhode Island avenue; southwesterly through the center of Rhode Island avenue to Exeter avenue; westerly through the center of Exeter avenue to Prospect street; southeasterly through the center of Prospect street to the Pawtucket-East Providence boundary line; westerly on said boundary line to a point in the Pawtucket river where it meets the Providence city line; northerly from said point along the center of the Pawtucket river to the line of Bowles street; southwesterly in the line of and through the center of Bowles street to Pleasant street; northerly through the center of Pleasant street to Cedar street; westerly through the center of Cedar street to Mulberry street; northerly through the center of Mulberry street to Main street; northeasterly and southeasterly through the center of Main street to the place of beginning.

Pawtucket;  
Fifth District.

(6) The Sixth Representative-District shall consist of all that part of said city bounded by a line beginning at a point where Reservoir avenue intersects the Pawtucket-Lincoln boundary line, extending easterly along said boundary line and

Pawtucket;  
Sixth District.

the Pawtucket-Central Falls boundary line to the center of the Pawtucket river; southerly along the center of the Pawtucket river to Main street; northwesterly through the center of Main street and Dexter street to Weeden street; westerly through the center of Weeden street to Reservoir avenue; northwesterly through the center of Reservoir avenue to the place of beginning.

Pawtucket;  
Seventh Dis-  
trict.

(7) The Seventh Representative-District shall consist of all that part of said city bounded by a line beginning at a point where the North Providence, Lincoln, and Pawtucket boundary lines intersect, extending easterly along the Pawtucket-Lincoln boundary line to Reservoir avenue; southeasterly through the center of Reservoir avenue to Weeden street; easterly through the center of Weeden street to Dexter street; southeasterly through the center of Dexter street to Main street; southwesterly through the center of Main street to Mineral Spring avenue; westerly through the center of Mineral Spring avenue to Hurley avenue; southerly through the center of Hurley avenue to Grotto avenue; westerly through the center of Grotto avenue and the line of Grotto avenue to the Pawtucket-North Providence boundary line; northerly on said line to the place of beginning.

Pawtucket;  
Eighth Dis-  
trict.

(8) The Eighth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of Hurley avenue and Mineral Spring avenue, extending easterly through the center of Mineral Spring avenue to Main street; southwestly through the center of Main street to Mulberry street; southerly through the center of Mulberry street to Cedar street; easterly through the center of Cedar street to West avenue; southerly through the center of West avenue to Pearl street; westerly through the center of Pearl street to Mulberry street; southerly through the center of Mulberry street to Brown street; westerly through the center of Brown street to Washington street; southerly through the center of Washington street to Randall street; westerly through the center of



Randall street to Main street; southwesterly through the center of Main street to Thurston street; southwesterly through the center of Thurston street to the center of Henry street; thence westerly through the center line of Henry street and a continuation thereof to the easterly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; northeasterly on said line to a point on road line opposite the southerly end of Dix avenue; thence westerly crossing said property at right angles to the southerly line of the old Moshassuck R. R. Company's property; thence on said line in a general westerly direction to its intersection with the line of Hurley avenue; northerly in the line of and through the center of Hurley avenue to the place of beginning.

(9) The Ninth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of the North Providence line and Grotto avenue, extending easterly through the center of Grotto avenue to the center of Hurley avenue; thence southerly through the center of Hurley avenue to the old southerly line of the property operated by the Moshassuck Valley R. R. Co.; easterly on said southerly line to the easterly line of the railroad property operated by the N. Y., N. H. & H. R. R. Co.; thence easterly to the easterly line of said railroad property; southwesterly on said line to a point in the center line of Henry street; thence easterly in the center line of Henry street to Thurston street; northeasterly through the center of Thurston street to Randall street; easterly through the center of Randall street to Dunnell avenue; southerly through the center of Dunnell avenue to Magill street; easterly through the center of Magill street to Knowles street; southeasterly through the center of Knowles street to Clyde street; easterly through the center of Clyde street to East avenue; southerly and southwesterly through the center of East avenue to the Pawtucket-Providence boundary line; westerly on said line to

Pawtucket;  
Ninth District.

the Pawtucket-North Providence boundary line; northerly on said line to the place of beginning.

Pawtucket;  
Tenth District.

(10) The Tenth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of West avenue and Cedar street, extending easterly through the center of Cedar street to Pleasant street; southerly through the center of Pleasant street to Bowles street; easterly through the center of Bowles street and the line of Bowles street to the center of the Pawtucket river; southerly along the center of said river to the Pawtucket-Providence boundary line; westerly on said boundary line to East avenue; northeasterly through the center of East avenue to Clyde street; westerly through the center of Clyde street to Knowles street; northwesterly through the center of Knowles street to Magill street; westerly through the center of Magill street to Dunnell avenue; northerly through the center of Dunnell avenue to Randall street; easterly through the center of Randall street to Washington street; northerly through the center of Washington street to Brown street; easterly through the center of Brown street to Mulberry street; northerly through the center of Mulberry street to Pearl street; easterly through the center of Pearl street to West avenue; northerly through the center of West avenue to the place of beginning.

#### SEC. 8.—WOONSOCKET.

The city of Woonsocket is hereby divided into eight representative-districts, bounded and described as follows:—

Woonsocket;  
First District.

(1) The First Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the line of Pine street where said street intersects the western boundary line of ward 1, extending easterly through the center of Pine street to Union street; northeasterly through the center of Union street to Bell street; southeasterly through the center

of Bell street to Park avenue; northeasterly through the center of Park avenue to Bernon street; southeasterly and easterly through the center of Bernon street and the line of Bernon street to the center of the Blackstone river; southerly through the center of the Blackstone river to the North Smithfield and Woonsocket town line; westerly and northwesterly on said town line to South Main street; northeasterly through the center of South Main street to Providence street; southeasterly through the center of Providence street to Lincoln street; northeasterly through the center of Lincoln street and the line of Lincoln street to the center of Bernon pond; easterly through the center of Bernon pond to the place of beginning.

(2) The Second Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river where the Woonsocket and North Smithfield town line intersects the western boundary line of ward 4, extending southeasterly, southerly, and northeasterly through the center of the Blackstone river to its intersection with the tracks of the N. Y., N. H. & H. R. R. Co., Boston and Pascoag line; southwesterly along said tracks to the line of Hope street; easterly in the line of and through the center of Hope street to Glenark street; northerly through the center of Glenark street to Sayles street; easterly through the center of Sayles street to the center of Blackstone river; southeasterly along the center of the Blackstone river to a point in the line of Lincoln street; southwesterly in the line of and through the center of Lincoln street to Providence street; northwesterly through the center of Providence street to South Main street; southwesterly through the center of South Main street to the Woonsocket and North Smithfield town line; northwesterly and easterly along said line to the place of beginning.

Woonsocket;  
Second District.

(3) The third Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river where the Massachusetts and Rhode Island

Woonsocket;  
Third District.

state line intersects the western boundary line of ward 4, extending along said state line in an easterly direction to Prospect street; southeasterly, easterly, and southeasterly through the center of Prospect street to North Main street; southeasterly through the center of North Main street to Daniels street; northeasterly through the center of Daniels street to Earl street; northwesterly through the center of Earl street to Mechanics avenue; northeasterly through the center of Mechanics avenue to Pond street; southeasterly through the center of Pond street to Clinton street; southwesterly through the center of Clinton street to the tracks of the N. Y., N. H. & H. R. R. Co., Providence and Worcester line; westerly along said tracks to the line of Main street; northerly in the line of Main street to the junction of Main street and Railroad street; northwesterly through the center of Railroad street to Harris avenue; northwesterly through the center of Harris avenue to Verry street; southwesterly and northwesterly through the center of Verry street to a point in the Blackstone river where the second and third and fourth ward lines intersect; northwesterly and northerly through the center of said river to the place of beginning.

Woonsocket;  
Fourth Dis-  
trict.

(4) The Fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point on the Blackstone river where the second, third, and fourth ward lines intersect, extending southeasterly and northeasterly through the center of Verry street to Harris avenue; southeasterly through the center of Harris avenue to Railroad street; southeasterly through the center of Railroad street to the junction of Railroad street and Main street; southerly in the line of Main street to the tracks of the N. Y., N. H. & H. R. R. Co., Providence and Worcester line; easterly along said tracks to the intersection of the first, third, and fourth ward lines in the Blackstone river; southwesterly through the center of the Blackstone river on the westerly boundary line of ward 1, to Bernon pond; westerly and northwesterly on the northern and

eastern boundary line of ward 2 in the Blackstone river to Sayles street; westerly through the center of Sayles street to Glenark street; southerly through the center of Glenark street to Hope Street; westerly through the center of Hope street to the tracks of the Boston and Pascoag line of the N. Y., N. H. & H. R. R. Co.; northeasterly along the tracks of said railroad to the center of the Blackstone river; westerly and northerly along the center of the Blackstone river to the place of beginning.

(5) The Fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Rhode Island and Massachusetts state line where Prospect street crosses said line, extending easterly along said state line to Rathbun street; southwesterly through the center of Rathbun street to Social street; southwesterly through the center of Social street to Second street; southeasterly through the center of Second street and the line of Second street to the northern boundary line of ward 1 in the Blackstone river; southwesterly along said ward line in the Blackstone river to the tracks of the Providence and Worcester line of the N. Y., N. H. & H. R. R. Co.; westerly along said tracks to Clinton street; northeasterly through the center of Clinton street to Pond street; northwesterly through the center of Pond street to Mechanics avenue; southwesterly through the center of Mechanics avenue to Earl street; southeasterly through the center of Earl street to Daniels street; southwesterly through the center of Daniels street to North Main street; northerly through the center of North Main street to Prospect street; northwesterly, westerly, and northwesterly through the center of Prospect street to the place of beginning.

Woonsocket;  
Fifth District.

(6) The Sixth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of Second street and Social street, extending easterly through the center of Social street to Cumberland street; southeasterly through the center of Cumberland street

Woonsocket;  
Sixth District.

to Brook street; northeasterly through the center of Brook street to Elm street; southeasterly and easterly through the center of Elm street to Dulude avenue; southerly through the center of Dulude avenue to Cass avenue; westerly through the center of Cass avenue to the eastern boundary line of ward 1 in the Blackstone river; northwesterly, westerly, and southwesterly along said line in the Blackstone river to the line of Second street; northwesterly in the line of and through the center of Second street to the place of beginning.

Woonsocket;  
Seventh District.

(7) The Seventh Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Rhode Island and Massachusetts state line where Rathbun street crosses said line, extending easterly along said line to the Cumberland town line; southerly and southeasterly on the Woonsocket and Cumberland town line to its junction with the North Smithfield town line in the Blackstone river; northwesterly through the center of the Blackstone river along the eastern boundary line of ward 1 to its intersection with the line of Cass avenue; easterly in the line of and through the center of Cass avenue to Dulude avenue; northeasterly through the center of Dulude avenue to Elm street; westerly and northwesterly through the center of Elm street to Brook street; southwesterly through the center of Brook street to Cumberland street; northwesterly through the center of Cumberland street to Rathbun street; northeasterly through the center of Rathbun street to the place of beginning.

Woonsocket;  
Eighth District.

(8) The Eighth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of the Blackstone river where Bernon street intersects the western boundary line of ward 1, extending northeasterly, easterly, and southeasterly on said ward line in the Blackstone river to the line of Bernon street; westerly and northwesterly in the line of and through the center of Bernon street to Park avenue; southwesterly through the center of Park avenue to

Bell street; northwesterly through the center of Bell street to Union street; southwesterly through the center of Union street to Pine street; westerly through the center of Pine street and the line of Pine street to the western boundary line of ward 1 in the Blackstone river; northeasterly along said ward line in the Blackstone river to the place of beginning.

#### SEC. 9.—NEWPORT.

The city of Newport is hereby divided into five representative-districts, bounded and described as follows:—

(1) The First Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the eastern end of the bridge connecting the Island of Rhode Island with Coaster's Harbor Island, extending easterly through the center of the highway leading from said bridge to Third street; southerly through the center of Third street to Dyre street; easterly through the center of Dyre street to Farewell street; southerly through the center of Farewell street to the line of Rutgers street; easterly through the line of and the center of Rutgers street to Halsey street; southerly through the center of Halsey street to Van Zandt avenue; easterly through the center of Van Zandt avenue to Tilley avenue; southerly through the center of Tilley avenue to Gould street; southeasterly through the center of Gould street to Warner street; southwesterly through the center of Warner street to Thames street; southerly through the center of Thames street to Bridge street; westerly through the center of Bridge street and the line of Bridge street to the harbor line; northerly along the harbor line to the place of beginning. This district shall also include the No. 2 engine house, on the south side of Bridge street, and Coaster's Harbor Island.

Newport; First District.

(2) The Second Representative-District shall consist of all that part of said city beginning at a point in the shore line of

Newport; Second District.

Coddington Cove where the Middletown-Newport boundary line intersects said shore line, extending southeasterly along the Middletown-Newport boundary line to the line of the road to the water works; westerly in the line of and through the center of the road leading to the water works to Prairie avenue; northwesterly through the center of Prairie avenue to Kay street; southwesterly through the center of Kay street to Cranston avenue; northwesterly through the center of Cranston avenue to Broadway; southwesterly through the center of Broadway to Oak street; northwesterly through the center of Oak street to West Broadway; southwesterly through the center of West Broadway to Edward street; northwesterly through the center of Edward street to Covell street; southeasterly through the center of Covell street to Sanford street; westerly through the center of Sanford street to Thames street; northerly through the center of Thames street to Warner street; northeasterly through the center of Warner street to Gould street; northwesterly through the center of Gould street to Tilley avenue; northerly through the center of Tilley avenue to Van Zandt avenue; westerly through the center of Van Zandt avenue to Halsey street; northerly through the center of Halsey street to Rutgers street; westerly through the center of Rutgers street and the line thereof to Farewell street; northerly through the center of Farewell street to Dyre street; westerly through the center of Dyre street to Third street; northerly through the center of Third street to the highway leading to Coaster's Harbor Island; westerly along said highway to the bridge leading to Coaster's Harbor Island; thence along the shores of Narragansett Bay and Coddington Cove in a general northerly, westerly, northerly, and easterly direction to the place of beginning.

Newport;  
Third District.

(3) The Third Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the intersection of the Middletown-Newport boundary line and the line of the road to water works, extending southeasterly



along the Middletown-Newport boundary line to the line of Old Beach Road; southwesterly in the line of and through the center of Old Beach Road to Mill street; westerly through the center of Mill street to Market Square; westerly through the center of Market Square to Newman's wharf; westerly through the center of Newman's wharf and the line thereof to the harbor line; northerly along said harbor line to a point in the harbor line in the line of Bridge street; easterly in the line of and through the center of Bridge street to Thames street; northerly through the center of Thames street to Sanford street; easterly through the center of Sanford street to Covell street; northeasterly through the center of Covell street to Edwards street; southeasterly through the center of Edwards street to West Broadway; northeasterly through the center of West Broadway to Oak street; southeasterly through the center of Oak street to Broadway; northeasterly through the center of Broadway to Cranston avenue; southeasterly through the center of Cranston avenue to Kay street; northeasterly through the center of Kay street to Prairie avenue; southeasterly through the center of Prairie avenue to the road to water works; southeasterly and northeasterly through the center of the road to the water works and the line thereof to the place of beginning. This district shall also include No. 1 engine house on the south side of Mill street, and Goat Island. The No. 2 engine house on the south side of Bridge street shall be excluded from this district.

(4) The Fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point where the line of Old Beach Road extended intersects the Middletown-Newport boundary line, extending southeasterly along the Middletown-Newport boundary line to the Atlantic Ocean; thence by said Atlantic Ocean in a general southerly, easterly, and westerly direction to a point in said Atlantic Ocean in the line of Bellevue avenue; easterly and northerly in the line of and through the center of Bellevue avenue to Perry

Newport;  
Fourth Dis-  
trict.

street; westerly through the center of Perry street to Spring street; northerly through the center of Spring street to Pope street; westerly through the center of and in the line of Pope street to the harbor line; northerly along said harbor line to a point in the harbor line in the line of the center line of Newman's wharf; easterly in the line of and through the center of Newman's wharf to Market Square; easterly through the center of Market Square to line of Mill street; easterly in the line of and through the center of Mill street to Old Beach Road; easterly through the center of Old Beach Road and the line thereof to the place of beginning. This district shall exclude the No. 1 engine house, on the south side of Mill street.

Newport:  
Fifth District.

(5) The Fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point at the intersection of Pope street and Spring street, extending southerly through the center of Spring street to Perry street; easterly through the center of Perry street to Bellevue avenue; southerly and westerly through the center of Bellevue avenue to the Atlantic Ocean; thence along said Atlantic Ocean, Narragansett Bay, and the Newport harbor line in a general westerly, northerly, and easterly direction to the intersection of the Newport harbor line with the line of Pope street; easterly in the line of and through the center of Pope street to the place of beginning.

#### SEC. 10.—WARWICK.

The town of Warwick is hereby divided into five representative-districts, bounded and described as follows:—

Warwick:  
First District.

(1) The First Representative-District shall consist of all that part of said town bounded by a line beginning at a point at the intersection of the Cranston-Warwick boundary line with the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co., on the Pawtuxet river, extending

easterly on the Cranston-Warwick boundary line in the center of the Pawtuxet river to Pawtuxet cove; easterly and southerly through the center of the Pawtuxet cove to the Providence river; southeasterly along the westerly harbor line of the Providence river to Narragansett Bay; southerly and southwesterly along the westerly harbor line of Narragansett bay to Cowesett bay; northwesterly along the northerly harbor line of Cowesett bay to a point on the harbor line in the line of Nausauket avenue; northwesterly in the line of and through the center of Nausauket avenue and the line of said avenue to the intersection of the East Greenwich-Providence road and the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co.; northerly on said line to the line of Rhode Island avenue (Lincoln Park plat); northwesterly in the line of and through the center of Rhode Island avenue and the line of Rhode Island avenue to the Cranston-Warwick boundary line in the Pawtuxet river; northerly on said line to the place of beginning.

(2) The Second Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Cranston-Warwick boundary line where it is crossed by the Old Hartford R. R. Branch of the N. Y., N. H. & H. R. R. Co., extending easterly and northerly on said line to the line of Rhode Island avenue; southeasterly in the line of and through the center of Rhode Island avenue and the line of Rhode Island avenue to the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co.; southerly on said line to its intersection with the Providence-East Greenwich road; southeasterly in the line of and through the center of Nausauket avenue and the line of said avenue to Cowesett bay; from this point the boundary line of Representative-District No. 2 of the town of Warwick extends through Cowesett bay and the Potowomut river in a general southeasterly and westerly direction to the intersection of the North Kingstown-East Green-

Warwick;  
Second Dis-  
trict.

wich-Warwick boundary lines; thence following the East Greenwich-Warwick town line northeasterly and northerly to a point in Greenwich cove where the East Greenwich-Warwick boundary line runs almost due west; westerly on said line to the Rocky Hill road; northerly through the center of the Rocky Hill road to Quaker lane; northerly through the center of Quaker lane to the Centerville road; westerly through the center of said road to the New London turnpike; northeasterly through the center of the New London turnpike to the Pawtuxet river; easterly and northerly through the center of the Pawtuxet river to its intersection with the westerly lines of the property owned and operated by the N. Y., N. H. & H. R. R. Co., known as the Old Hartford Branch; northerly on said line to the place of beginning.

Warwick;  
Third District.

(3) The Third Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Cranston-Warwick boundary line where it is crossed by the western line of the property owned and operated by the N. Y., N. H. & H. R. R. Co., known as the Old Hartford Branch, extending southerly on said line to the Pawtuxet river; southerly and westerly through the center of the Pawtuxet river to the New London turnpike; southwesterly through the center of the New London turnpike to the tracks of the N. Y., N. H. & H. R. R. Co.; westerly in said tracks to their intersection with the tracks of the Pawtuxet Valley Branch of the N. Y., N. H. & H. R. R. Co.; westerly and northwesterly on said tracks to Maple avenue; southwesterly in a straight line to the intersection of Fairview avenue and the Coventry boundary line; northerly on said boundary line to the Cranston city line; easterly on said city line to the place of beginning.

Warwick;  
Fourth District.

(4) The Fourth Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Coventry-Warwick boundary line where Fairview avenue enters the town, extending in a straight line northeasterly to the

intersection of Maple avenue and the tracks of the Pawtuxet Valley Branch of the N. Y., N. H. & H. R. R. Co.; southeasterly and easterly along said line to its intersection with the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co., known as the Old Hartford Branch, easterly along said line to the New London turnpike; southwesterly through the center of the New London turnpike to a point where a line drawn due west will meet the intersection of the River road and the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co., known as the Old Hartford Branch; westerly on said line drawn due west to the westerly line of said railroad property; southwesterly on the said line to Central street; northwesterly through the center of Central street to Quidnick street; southwesterly through the center of Quidnick street to Crawford street; northwesterly through the center of Crawford street to McNiff street; northerly through the center of McNiff street to Shippee street; westerly through the center of Shippee street to the Coventry line; northerly along the Coventry-Warwick boundary line to the place of beginning.

(5) The Fifth Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Coventry-Warwick boundary line where Shippee street enters the town, extending easterly through the center of Shippee street to McNiff street; southerly through the center of McNiff street to Crawford street; southeasterly through the center of Crawford street to Quidnick street; northeasterly through the center of Quidnick street to Central street; southeasterly through the center of Central street to the westerly line of the property owned and operated by the N. Y., N. H. & H. R. R. Co., known as the Old Hartford Branch of the N. Y., N. H. & H. R. R. Co.; northeasterly on said line to its intersection with the River road; thence due east on a line drawn from said intersection to the New London turnpike; southwesterly through the center of the New London turnpike to the Centerville-Apponaug

Warwick;  
Fifth District.

road; easterly through the center of the Centerville-Apponaug road to Quaker lane; southerly through the center of Quaker lane to the Rocky Hill road; southerly through the center of Rocky Hill road to the Warwick-East Greenwich boundary line; westerly on said line to the Coventry-Warwick boundary line; northerly on said line to the place of beginning.

#### SEC. 11.—CENTRAL FALLS.

The city of Central Falls is hereby divided into five representative-districts, bounded and described as follows:—

Central Falls;  
First District.

(1) The First Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Washington street opposite Foundry street, extending easterly through the center of Foundry street to the easterly line of the property operated by the N. Y., N. H. & H. R. R. Co.; northeasterly along said line to the Pawtucket-Central Falls boundary line in the Blackstone river; southerly along said line to the southerly boundary line of the city of Central Falls; westerly along said line to Hawes street; northerly through the center of Hawes street to Central street; easterly through the center of Central street to Washington street; northerly through the center of Washington street to the place of beginning.

Central Falls;  
Second District.

(2) The Second Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river where Broad street crosses the Cumberland-Central Falls boundary line, extending easterly and southeasterly along said line to its intersection with the easterly line of the property operated by the N. Y., N. H. & H. R. R. Co.; southwesterly on said line to Foundry street; westerly through the center of Foundry street to Washington street; northwesterly through the center of Washington street to Lincoln avenue; easterly through the center of Lincoln avenue to Acorn

street; northerly through the center of Acorn street to Chestnut street; easterly through the center of Chestnut street to Broad street; northerly through the center of Broad street to the place of beginning.

(3) The Third Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the center of Pine street opposite Richardson street, extending easterly through the center of Richardson street to Dexter street; northerly through the center of Dexter street to Darling street; easterly through the center of Darling street to Fuller avenue; northerly through the center of Fuller avenue to Sumner avenue; easterly through the center of Sumner avenue to Illinois street; southerly through the center of Illinois street to Beacon street; easterly through the center of Beacon street to Washington street; southerly through the center of Washington street to Central street; westerly through the center of Central street to Hawes street; southerly through the center of Hawes street to the southern boundary line of the city of Central Falls; westerly on said line to Pine street; northwesterly through the center of Pine street to the place of beginning.

Central Falls;  
Third District.

(4) The Fourth Representative-District shall consist of all that part of said city bounded by a line beginning at a point in the Blackstone river where Broad street intersects the Cumberland-Central Falls boundary line, extending southerly through the center of Broad street to Chestnut street; westerly through the center of Chestnut street to Acorn street; southerly through the center of Acorn street to Lincoln avenue; westerly through the center of Lincoln avenue to Washington street; southerly through the center of Washington street to Beacon street; westerly through the center of Beacon street to Illinois street, northerly through the center of Illinois street to Sumner avenue; westerly through the center of Sumner avenue to Fuller avenue, southerly through the center of Fuller avenue to Darling street; westerly through the center of Darling street to Dexter

Central Falls;  
Fourth District.

street; northerly through the center of Dexter street to Hunt street; easterly through the center of Hunt street to Liberty street; northerly through the center of Liberty street to Etna street; easterly through the center of Etna street to Valley Falls pond; northerly along the shore of Valley Falls pond to the Cumberland-Central Falls boundary line; easterly along said line to the place of beginning.

Central Falls;  
Fifth District.

(5). The Fifth Representative-District shall consist of all that part of said city bounded by a line beginning at a point where the boundary lines of Lincoln, Central Falls, and Pawtucket intersect, extending northerly and northeasterly on the westerly boundary line of the city of Central Falls to Valley Falls pond; southeasterly along the shores of Valley Falls pond to Etna street; westerly through the center of Etna street to Liberty street; southerly through the center of Liberty street to Hunt street; westerly through the center of Hunt street to Dexter street; southerly through the center of Dexter street to Richardson street; westerly through the center of Richardson street to Pine street; southerly through the center of Pine street to the southern boundary line of the city of Central Falls; westerly along said line to the place of beginning.

## SEC. 12.—CRANSTON.

The city of Cranston is hereby divided into four representative-districts, bounded and described as follows:—

Cranston; First  
District.

(1) The First Representative-District of the city of Cranston shall consist of all that part of said city bounded by a line beginning at a point on the Providence-Cranston boundary line where the Elmville brook intersects Park avenue, and extending in a general southeasterly, northeasterly, and easterly direction with said Providence-Cranston boundary line to the harbor line in Narragansett bay; southerly with said harbor



line to Pawtuxet cove; in a general westerly direction through said Pawtuxet cove and with the center of Pawtuxet river to a point where said Elmville brook enters said Pawtuxet river; northerly with the center of said Elmville brook to the point of beginning.

(2) The Second Representative-District of the city of Cranston shall consist of all that part of said city bounded by a line beginning at a point in the Providence-Cranston boundary line where said line is intersected by Reservoir avenue, and extending easterly and southerly with said Providence-Cranston boundary line to a point where Elmville brook intersects said Providence-Cranston boundary line at Park avenue; southerly with the center of said Elmville brook to the Pawtuxet river; westerly and southerly with the center of said Pawtuxet river and the Warwick-Cranston boundary line to a point where said Warwick-Cranston boundary line is intersected by Pontiac avenue; northerly with the center of said Pontiac avenue to a point where said Pontiac avenue is intersected by the lines of the New York, New Haven and Hartford Railroad Co., at Howard; northerly in a direct line across the lands of the State Institutions to a point in the center of the New London turnpike fifteen hundred feet southwesterly of Sockanosset cross road; northeasterly with the center of said New London turnpike to a point where said turnpike intersects said Sockanosset cross road; northerly with the center of said Sockanosset cross road to its junction with Reservoir avenue; northeasterly with the center of said Reservoir avenue to the point of beginning.

Cranston;  
Second District.

(3) The Third Representative-District of the city of Cranston shall consist of all that part of said city bounded by a line beginning at a point in the Cranston-Johnston boundary line where the outlet to Dyer's pond connects with the Pocasset river, and extending northerly and easterly with said Cranston-Johnston boundary line to its junction with the Providence-Cranston boundary line; easterly and southerly with said Provi-

Cranston;  
Third District.

dence-Cranston boundary line to a point where said Providence-Cranston boundary line is intersected by Reservoir avenue; southwesterly with the center of said Reservoir avenue to a point where it is intersected by the Pocasset river; northerly with the center of said Pocasset river to a point in the center of Cranston street; northwesterly with the center of said Cranston street to a point half way between said Cranston street and Haven avenue; westerly in a direct line running half way between said Haven avenue and Cranston street across said Cranston street to the southerly boundary line of St. Ann's cemetery; with said southerly boundary line of St. Ann's cemetery to the center of Randall's pond; with the center of Randall's pond and Dyer's pond to the point of beginning.

Cranston;  
Fourth District.

(4) The Fourth Representative-District of the city of Cranston shall consist of all that part of said city westerly of a line extending from a point in the Cranston-Johnston boundary line where the outlet to Dyer's pond connects with the Pocasset river, thence southerly with the center of said Dyer's pond and Randall's pond to a point in a line with the southerly boundary of St. Ann's cemetery; easterly with the southerly boundary line of St. Ann's cemetery across Cranston street in a direct line running half way between said Cranston street and Haven avenue to a point in the center of said Cranston street; southeasterly with the center of said Cranston street to a point where said Cranston street is intersected by the Pocasset river; southerly with the center of said Pocasset river to a point where said Pocasset river intersects Reservoir avenue; southwesterly with the center of said Reservoir avenue to the junction of said Reservoir avenue and Sockanosset cross road; southerly with the center of said Sockanosset cross road to a point where said Sockanosset cross road is intersected by the New London turnpike; southwesterly with the center of said turnpike to a point fifteen hundred feet from said Sockanosset cross road; southerly in a direct line across the lands of the State Institutions to a

point where the lines of the New York, New Haven and Hartford Railroad Co. intersect Pontiac avenue at Howard; southerly with the center of said Pontiac avenue to the Warwick-Cranston boundary line.

### SEC. 13.—EAST PROVIDENCE.

The town of East Providence is hereby divided into three representative-districts, bounded and described as follows:—

(1) The First Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Seekonk river where the Pawtucket-East Providence boundary lines intersect, extending easterly on the Pawtucket-East Providence line to the Massachusetts-Rhode Island boundary line; southerly on said boundary line to Taunton avenue; southwesterly through the center of Taunton avenue to a point opposite the eastern line of the East Providence town hall; southerly along the easterly line of said town hall to a point opposite the center of the east and west line of said town hall; westerly in the line of and on the said line through the center of said town hall to the westerly line of said town hall; northerly on the westerly line of said town hall to Taunton avenue; southwesterly through the center of Taunton avenue to Walnut street; northerly through the center of Walnut street to Waterman avenue; westerly through the center of Waterman avenue to the Providence-East Providence boundary line in the Seekonk river; northerly on said line to the place of beginning.

East Providence; First District.

(2) The Second Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the Seekonk river at the intersection of the Providence-East Providence boundary line and Waterman avenue, extending southeasterly through the center of Waterman avenue to Walnut street; southwesterly through the center of Walnut street to Taunton avenue; easterly through the center of Taunton

East Providence; Second District.

avenue to the line of the westerly line of the East Providence town hall; southerly along said line to a point opposite the center of the east and west line of said town hall; easterly in the line of and on said line through the center of said town hall to the easterly line of said town hall; northerly in the easterly line of said town hall to Taunton avenue; easterly through the center of Taunton avenue to Broadway; southerly through the center of Broadway to a point where it crosses the inlet of Watchemoket cove; southerly through said inlet and Watchemoket cove to the railroad bridge over the outlet of Watchemoket cove; due west on the line of and through said outlet to the East Providence town line in Narragansett bay; northerly and northeasterly on said line to the place of beginning.

East Providence; Third District.

(3) The Third Representative-District shall consist of all that part of said town bounded by a line beginning at a point on the Rhode Island-Massachusetts state line where Taunton avenue enters the town, extending southerly on said state line to its intersection with the East Providence-Barrington boundary line; westerly on the East Providence-Barrington boundary line to the East Providence town line in Narragansett bay; northwesterly on said town line to a point in said line due east of the railroad bridge over the outlet of Watchemoket cove; easterly on the line of and through said outlet to Watchemoket cove; northerly through said cove and the inlet to said cove to where said inlet is crossed by Broadway; northerly through the center of Broadway to Taunton avenue; easterly through the center of Taunton avenue to the place of beginning.

#### SEC. 14.—CUMBERLAND.

The town of Cumberland is hereby divided into two representative-districts, bounded and described as follows:—

Cumberland; First District.

(1) The First Representative-District shall consist of all that part of said town lying south of a line beginning at a point

in the center of Dexter street on the Massachusetts-Rhode Island state line where Dexter street enters the town, extending westerly through the center of Dexter street to Broad street; northwesterly through the center of Broad street to Cross street; southwesterly through the center of Cross street and the line of Cross street extended to the boundary line between the town of Cumberland and the town of Lincoln in the Blackstone river.

(2) The Second Representative-District shall consist of all that part of the town of Cumberland not included in the first representative-district of said town.

Cumberland;  
Second District.

#### SEC. 15.—LINCOLN.

The town of Lincoln is hereby divided into two representative-districts, bounded and described as follows:—

(1) The First Representative-District of said town shall consist of all that part of said town lying north of a line beginning at a point in the center of the Ashton bridge over the Blackstone river on the Lincoln-Cumberland boundary line, extending westerly to a point opposite a road formerly called "Chestnut Tree Lane" and more often "Stony Lane," in the center of the highway called the Great Road or Smithfield avenue; northerly through the center of said Great Road or Smithfield avenue to the junction of said Great Road and Louisquisset pike; southwesterly to the stone post on the Lincoln-Smithfield boundary line standing just north of the point where the Wilbur road in said town of Lincoln crosses the Smithfield line.

Lincoln; First  
District.

(2) The Second Representative-District of said town shall consist of all that part of the said town of Lincoln not included in the first representative-district of said town.

Lincoln;  
Second District.

#### SEC. 16.—WESTERLY.

The town of Westerly is hereby divided into two representative-districts, bounded and described as follows:—

Westerly;  
First District.

(1) The First Representative-District shall consist of all that part of said town lying north and west of a line beginning at a point on the bridge over the Pawcatuck river on the Rhode Island-Connecticut boundary line in the center of Broad street, extending southeasterly through the center of Broad street to Granite street; northeasterly and northerly through the center of Granite street to Tower street; easterly and northeasterly through the center of Tower street to Oak street; easterly through the center of Oak street to its junction with the Old Niantic road, so-called; northeasterly through the center of said road to the tracks of the N. Y., N. H. & H. R. R. Co.; easterly on said tracks to the brook flowing from Chapman's pond into the Pawcatuck river; through said brook in a general easterly direction to the Hopkinton-Westerly boundary line in the Pawcatuck river; thence following the Westerly-Hopkinton boundary line in a general easterly direction to the Charles-town-Westerly boundary line.

Westerly;  
Second Dis-  
trict.

(2) The Second Representative-District shall consist of all that part of the town of Westerly not included in the first representative-district of said town.

#### SEC. 17.—BRISTOL.

The town of Bristol is hereby divided into two representative-districts, bounded and described as follows:—

Bristol; First  
District.

(1) The First Representative-District shall consist of all that part of said town bounded by a line beginning at a point in the harbor line in the southerly line of High street; northerly in the line of and through the center of High street to Bayview avenue; easterly through the center of Bayview avenue to Metacom avenue; northerly through the center of Metacom avenue to the road leading to the Hopeworth sanatorium, and the line thereof to the harbor line in Mount Hope bay; southerly,

southwesterly, northwesterly, and northerly along said harbor line to the place of beginning.

(2) The Second Representative-District shall consist of all that part of the town of Bristol not included in the first representative-district of said town.

Bristol;  
Second Dis-  
trict.

#### SEC. 18.—BURRILLVILLE.

The town of Burrillville is hereby divided into two representative-districts, bounded and described as follows:—

(1) The First Representative-District of the town of Burrillville shall consist of all that part of said town lying west and south of a line drawn from a point in the Rhode Island-Massachusetts state line where the line of the first voting-district of the town of Burrillville crosses said line, extending southeasterly in the line of said voting-district to a point on said line where a line drawn almost due east intersects the southerly line of the property operated by the New York, New Haven and Hartford Railroad Co., known as the Old Providence and Springfield Branch, directly opposite Whipple's mill; southeasterly along the southerly line of said railroad property to its intersection with the branch of Tarkiln brook flowing southeasterly into said brook; southeasterly along said branch to Tarkiln brook; southwesterly along Tarkiln brook to the Gloucester-Burrillville boundary line; westerly along said boundary line to the Rhode Island-Connecticut boundary line; northerly along said boundary line to the Massachusetts-Rhode Island boundary line; easterly along said boundary line to the place of beginning.

Burrillville;  
First District.

(2) The Second Representative-District of the town of Burrillville shall consist of all that part of said town not included in the first representative-district.

Burrillville;  
Second Dis-  
trict.

SEC. 19. The secretary of state shall receive and examine the certificates of election of senators and representatives to the general assembly returned to his office by the state returning-

Secretary of state to prepare list of senators-elect and representatives-elect from certificate of state returning-board.

board, and shall make separate lists of the persons therein named as elected to the offices of senators and representatives, respectively. In case at nine o'clock in the morning on the first Tuesday of January in each year there shall be no such certificate received by the secretary of state of the election of senator, representative, or representatives, or either or any of them, from any city or town, the secretary of state shall also place on said lists, respectively, the names of the persons then holding the offices for which there is no certificate returned or received as aforesaid of the election of any other person to said office.

Secretary of state to deliver to clerk of house certified list of representatives-elect.

SEC. 20. At or before twelve o'clock, noon, on the first Tuesday in January in each year the secretary of state shall certify and deliver to the reading-clerk of the house of representatives the list of persons, made up as provided in the preceding section of this chapter, entitled to seats in the house of representatives, and shall certify and retain in his possession the list of persons, made up as aforesaid, entitled to seats in the senate.

Lists of senators-elect and representatives-elect may be corrected by secretary of state and clerk of house before organization upon presentation of proper certificate.

SEC. 21. In case any person whose name does not appear on said list shall, upon the calling to order as hereinafter provided of said senate and house of representatives, respectively, and before organization, present to the secretary of state a certificate of such person's election to the office of senator or representative, over the signatures of the state returning-board, and there being no such certificate of the election of any other person to said office returned to or received by the secretary of state as aforesaid, the secretary of state in the senate, and the reading-clerk in the house of representatives, shall correct said lists, respectively, by placing thereon the name of such person presenting said certificate as senator or representative, as the case may be, from the city, town, or representative-district which it appears by said certificate he is entitled to represent, and by erasing from the list whereon it appears the name of the person previously placed thereon as senator or representative by reason



of no certificate of the election of any person to said office having been received by the secretary of state.

SEC. 22. In case any person whose name appears upon either of said lists made up by the secretary of state as aforesaid as senator or representative from any city, town, or representative-district, by virtue of any certificate of election returned to the office of or received by the secretary of state as aforesaid, shall not be present at the time of calling the roll of members as hereinafter provided, the said list bearing the name of such person shall be further corrected, by the secretary of state in the senate and the reading-clerk in the house of representatives, by substituting therefor the name of the person then holding said office.

Places of absent senators-elect and representatives-elect, how to be filled on first roll-call.

SEC. 23. The persons whose names appear upon said lists made up and corrected as hereinbefore provided, and no others, shall be entitled to participate in the organization of the senate and house of representatives, respectively.

Who to participate during organization of senate and house.

SEC. 24. On the first Tuesday in January in each year at twelve o'clock, noon, the persons whose names are borne on the respective lists aforesaid shall be admitted to take seats as members of the senate and house of representatives, respectively, and such persons shall assemble at said time in their respective chambers at Providence and take their engagement of office before the secretary of state, attorney-general, or some person authorized by law to administer oaths.

Date of first meeting of senate and house each year.

SEC. 25. At the time specified in the preceding section of this chapter, the senate shall be called to order by the lieutenant-governor, or in his absence by the secretary of state. The roll of members as appears by said list of senators shall then be called by the clerk, and said list shall be corrected by the secretary of state as hereinbefore provided. In the absence of the lieutenant-governor, the senate shall then proceed to elect one of their members to preside. If twenty of the members whose names appear upon said lists are present, but not otherwise, the

Proceedings to be observed in organizing the senate.

Senate to elect clerk and notify house of its organization.

senate then shall organize by electing a clerk, and shall forthwith notify said house of representatives that it is duly organized and ready to proceed with the business of the session. Said clerk shall hold office for one year, and until his successor is elected and qualified.

Proceedings to be observed in organising the house.

SEC. 26. At the time specified in section twenty-four of this chapter, the house of representatives shall be called to order by the senior member in continuous service present from Newport, and, if there is no member present from Newport, by the senior member of said house in continuous service present. The roll of members as appears by said list of representatives shall then be called by the reading-clerk, and said list shall be corrected by the reading-clerk as hereinbefore provided. If it shall appear that fifty-one of the members whose names are upon said list are present, but not otherwise, the member calling the house of representatives to order as hereinbefore provided shall call for nominations for the office of speaker, and receive the ballots of the members whose names are on said list for that office, and after said ballots have been counted by him and by the clerks of said house, he shall declare the result, and the balloting shall continue until some person shall receive a majority of all the ballots cast, and the person receiving such majority shall be the speaker of said house. The member so calling said house to order shall not receive, entertain, or put to vote, any motion or question whatever, or point of order, while acting as presiding officer, and any such member violating any of the foregoing provisions of this section, or allowing any person whose name is not upon said list to participate in the organization of said house or to cast any ballot for speaker, or who shall allow to be used in the organization of said house any list of members not prepared and corrected as provided in this chapter, shall be imprisoned not less than one year nor more than three years; and any clerk or other person who shall use any such list in the organization of said house, or who shall fraudently alter,

Speaker, how chosen.

Penalty for violating provisions of this section.

secrete, or destroy any list of members prepared, or prepared and corrected; as hereinbefore provided, shall be punished by like imprisonment. Immediately upon the election of a speaker the house of representatives shall proceed to elect by ballot a reading-clerk and a recording-clerk, and upon the election of a speaker and clerks as herein provided, said house shall be deemed to be organized, and shall forthwith notify the senate that it is duly organized and ready to proceed with the business of the session. Said clerks shall hold office for one year, and until their successors are elected and qualified.

Clerks to be elected by house and senate notified of its organization.

SEC. 27. The respective houses may fill vacancies in the said offices as they occur.

Each house has power to fill vacancies in its offices.

SEC. 28. Immediately after the organization of the senate and house of representatives and notice thereof as aforesaid, the senate shall join the house of representatives in grand committee, for the purpose of inducting the persons elected into their respective offices, and of electing general officers in case of a failure to elect by the electors at the general election.

Grand committee to meet at once after organization for purpose of inducting general officers into office.

SEC. 29. The list of members of the senate and of the house of representatives prepared and corrected as herein provided, shall continue to be the lists of members of the senate and of said house, respectively, until altered by vote of the respective houses, and any secretary of state who shall willfully fail to prepare and correct such lists according to the provisions of this chapter, or to do any other thing in relation to such lists herein provided to be done by him, or who shall fraudulently place upon any of such lists the name of any person not provided herein to be placed thereon, or who shall fraudulently neglect to place upon any of such lists the name of any person so entitled to be placed thereon, shall be imprisoned not less than one nor more than three years.

Certified list of senators and representatives to remain in force until changed by vote of respective houses.

Penalty for failure to make up and correct lists of senators and representatives as provided in this chapter.

SEC. 30. The foregoing provisions of this chapter are mandatory and not merely directory.

Provisions of this chapter mandatory.

Attendance of senators-elect and representatives-elect may be compelled.

SEC. 31. The attendance of senators-elect and representatives-elect, and of senators and representatives, may be compelled by warrant for that purpose under the hand of the presiding officer for the time being of the senate or house of representatives, as the case may be, directed to any sheriff or deputy-sheriff, which warrant may be executed by such officer in any county.

Senators and representatives absent at organisation to take engagement before acting in their offices.

SEC. 32. Senators and representatives not present at the first meeting of the respective houses shall, after presenting the evidence of their election, take the engagement of office before they shall act in their respective offices.

Form of engagement to be taken by senators and representatives.

SEC. 33. The following shall be the form of engagement to be taken by the senators and representatives:—You being chosen to the place of [*naming the office*] in the general assembly, do solemnly swear, (*or, affirm*) that you will be true and faithful to this State of Rhode Island and Providence Plantations; that you will support the constitution of the United States, and the constitution and laws of this state, and that you will faithfully and impartially discharge the duties of your aforesaid office, to the best of your abilities, according to law: So help you God. [*Or: this affirmation you make and give under peril of the penalty of perjury.*]

Sheriffs and deputies to attend sessions of the general assembly.

SEC. 34. The number of sheriffs or their deputies who shall attend upon the general assembly, at any session thereof, shall not exceed three in both chambers, unless by special order of the general assembly: *Provided*, that only actual attendance shall be paid for.

## EXTRACTS FROM TITLE VIII.

## OF TOWNS AND TOWN OFFICERS.

## CHAPTER 47.

Gen. Laws,  
1896, Ch. 37.

## OF CALLING AND WARNING TOWN MEETINGS.

SECTION 1. A town meeting shall be annually held in each town, for the election of such town officers as are or may be by law required.

Annual town  
meeting for  
election of  
officers.

SEC. 2. Such meetings shall be held at such time as is or may be by by-law or vote provided, unless otherwise directed by law.

When to be  
held.

SEC. 3. If, on the day of annual election of town officers, any town shall fail to make an election of town clerk, town council, justices of the peace or town treasurer, the meeting may be adjourned for the purpose of completing the election of those officers, but of no others, from day to day, not exceeding three days beyond the first day of meeting.

May be ad-  
journed.  
15 R. I. 332.

SEC. 4. Town meetings, other than said annual meetings, shall be held at such times as are, or may be, by the constitution or by law required, or may be called in the manner hereinafter provided.

Other town  
meetings.

SEC. 5. Town clerks shall cause the electors of their respective towns to be notified of every town meeting which shall be prescribed by law, and also of all other town meetings which shall be legally called.

Town clerk to  
notify of town  
meetings.

SEC. 6. Whenever the town council, or whenever seven of the electors of any town consisting of less than three thousand inhabitants, or five per cent. of the electors of any town consisting of more than that number, shall make a request in writing for the calling of a town meeting to transact any business relating to such town in respect of which they shall have a right to vote, and direct the same to the town clerk, such town clerk

Town meetings,  
how called and  
notified.  
Pub. Laws,  
781, May 31,  
1900.

shall cause the electors to be notified of the time when and the place where the same is to be holden, and of the business proposed to be transacted therein.

How, if subject acted on within six months.

SEC. 7. No special town meeting shall be called without the consent of the town council, if the subject or any of the subjects proposed to be considered at such special town meeting, shall have been acted on by the town at any time within six months previous to the time of such proposed call.

Notice of a meeting prescribed by law, how to be given.

SEC. 8. The notice to the electors to meet in a town meeting prescribed by law, shall be given by the town clerk issuing his warrant, directed to the town sergeant or one of the constables of such town, requiring him to post, at least seven days before the day appointed for such meeting, written notifications in three or more public places in the town, of the time when and place where said meeting is to be holden and of the business required by law to be transacted therein.

Of notice of called town meetings.  
Pub. Laws, 852, March 29, 1901.

SEC. 9. The notice of meetings, when called by request as aforesaid, shall be given in the manner provided for meetings prescribed by law. In towns in which the hour of meetings prescribed by law is fixed by law, meetings called by request shall be held at the same hour. In other towns such meetings shall be held at the hour named in the request. At all meetings called by request only the business stated in the warrants directing the calling of such meetings shall be acted upon.

Meetings called by request, held when.

Warrant, how issued, to fill vacancy in office of town clerk.

SEC. 10. Whenever any town clerk shall be removed by death or otherwise, the town treasurer of the town shall issue his warrant to warn the electors to assemble in town meeting, to choose a town clerk in the room of him so removed, which warrant shall be directed as aforesaid.

Penalty for neglect to issue and serve warrant for meeting.

SEC. 11. Every town clerk or town treasurer who shall neglect or refuse to issue a warrant as above directed, and every town sergeant or constable who shall neglect or refuse to serve the same as above required, shall forfeit for each neglect fifty dollars; to be recovered, one-half thereof to the use of the town

and one-half thereof to the use of the person who shall sue for the same.

SEC. 12. No vote shall be passed in any town meeting concerning the disposing of the town's land or making a tax, unless special mention be made, and notice thereof given, in the warrant issued for the warning of such meeting; and the town clerk of every town shall grant such warrant, except in cases where the law otherwise directs; which warrant shall be directed to the town sergeant, or to one of the constables of the town.

Of meetings to  
levy taxes or to  
dispose of town  
land.

17 R. I. 423.  
19 R. I. 453.

## CHAPTER 48.

Gen. Laws,  
1896, Ch. 38.

### OF THE QUORUM, GOVERNMENT AND CONDUCT OF TOWN MEETINGS, AND OF ORGANIZATION AND GOVERNMENT OF WARD MEETINGS.

SECTION 1. Whenever the inhabitants of any town do not exceed three thousand by the last census, whether national or state, preceding the holding of a town meeting, seven electors at least shall be necessary to constitute a legal town meeting; and whenever the inhabitants of any town shall exceed that number, fifteen electors at least shall be necessary to constitute such meeting: *Provided*, that whenever both the warden or moderator and clerk of any ward or district meeting held in any city or town are present, they shall constitute a quorum for the opening of the polls for voting for all civil officers, except for warden and clerk.

How many  
electors to con-  
stitute a town  
meeting.  
Quorum in  
cities.

SEC. 2. At the annual town meeting of each town, there shall be chosen a moderator to preside in all the town meetings for the year, and until his successor is elected and qualified.

Moderator,  
when to be  
chosen.

SEC. 3. (As amended by Section 35, Chapter 640, and Section 1, Chapter 677, Public Laws.) Voting-district moderators and clerks, and moderators and clerks of representative-districts in any city other than the cities of Providence and

Moderators and clerks for towns divided into representative-districts, and cities other than Providence and Pawtucket, how elected.

Pawtucket, and in any town divided into representative-districts, shall be elected annually by and from the qualified electors of their respective districts on the day of the annual election of city or town officers in such city or town; they shall hold their offices as prescribed in the charter of, or special or general law, applicable to such city or town respectively; and the voting for them shall continue during the whole time limited by law for voting on the day of such election. They shall be engaged to the faithful and impartial discharge of the duties of their office and to support the constitution and laws of the state and the constitution of the United States.

Boards of canvassers may appoint moderators and clerks, when.

Whenever voting-district moderators and clerks, and moderators and clerks of representative-districts have not been elected in any city or town, the board of canvassers of said city or town shall appoint such officers, at least ten days before any election, or district or town meeting, and such officers shall hold office until the appointment or election of their successors.

To be appointed in Providence and Pawtucket by boards of canvassers and registration.

In the cities of Providence and Pawtucket, at least ten days prior to every election, there shall be appointed by the board of canvassers and registration thereof, respectively, a moderator and a clerk for each voting-district who shall be of different political parties; and who shall be qualified electors in the district for which they are appointed.

Such moderators and clerks shall each be able to read the constitution of the state in the English language, and to write their names. Every person appointed as aforesaid shall be forthwith notified of his appointment and shall, at least three days before any election at which he shall have been appointed to serve, accept or decline said appointment, and shall be, at least three days prior to said election, sworn to the faithful discharge of his duties by some member of said board making such appointment. In case any person appointed as aforesaid shall neglect to qualify, or shall be unable or fail to serve, the vacancy shall be filled by the board making such



appointment, and such appointee shall be of the same political party as the person failing to qualify, and shall, before serving, qualify before some member of said board.

Vacancies, how filled.

SEC. 4. In the city of Providence at least ten days prior to every election there shall be appointed by the board of canvassers and registration of said city a warden and clerk for each voting-district who shall be of different political parties. In the city of Pawtucket the warden and clerk shall be appointed by the board of canvassers and registration as provided by sections thirty-five to forty-five of chapter eight.

Pub. Laws, 798, Sec. 4, June 13, 1900.

Wardens and clerks in cities of Providence and Pawtucket, how appointed. 26 R. I. 465.

SEC. 5. (As amended by Section 36, Chapter 640, Public Laws.) Moderators and clerks of voting-districts in towns not divided into representative-districts shall be elected annually, by and from the qualified electors of their respective voting-districts, on the day of the annual election of town officers in the several towns.

Moderators and clerks in towns not divided into representative districts to be elected annually at town election.

SEC. 6. In towns which do not elect their officers by secret ballot, the names of the candidates for warden or moderator, and clerk, as aforesaid, shall be written or printed upon one piece of paper; and the ballots shall be by the voter deposited in the ballot-box in such manner that the warden or moderator can distinctly see that the voter deposits but one ballot of a kind.

How to be voted for in towns not electing town officers by secret ballot.

SEC. 7. The votes for warden or moderator and clerk shall be counted by the then warden or moderator, and clerk, and the result declared in open ward or district meeting; and the ballots shall be sealed up and delivered to the town clerk by the district clerk with the ballots for other officers.

Votes, how counted; result, how declared. Ballots, how disposed of.

SEC. 8. The term of office of the warden or moderator, and clerk, as aforesaid, then elected, shall commence at the first regular ward or district meeting held thereafter for the election of officers, and shall continue until their successors are elected and qualified, unless otherwise provided by law.

Term of office.

Moderator to preside at all elective meetings.

SEC. 9. (As amended by Section 37, Chapter 640, Public Laws.) In all meetings of the electors or voters in a town, representative-district, or voting-district, the moderator of such meeting shall preside.

Proceedings to be taken in absence of moderator or clerk of town not divided into voting-districts.

SEC. 10. (As amended by Section 38, Chapter 640, and Section 1, Chapter 850, Public Laws.) In case of the absence of the moderator or of the clerk of any town meeting, of a town not divided into voting-districts, the town meeting may elect a moderator or clerk pro tempore, and the town clerk shall preside at such election of the moderator.

Of a voting district in town not divided into representative-districts.

In case of the absence of the moderator or of the clerk of a voting-district in a town not divided into representative-districts, the voting-district meeting may elect a moderator or clerk pro tempore, and the clerk shall preside in such election of a moderator. Five electors at least shall be necessary to constitute a quorum for the purpose of electing such moderator or clerk pro tempore.

Of a representative district, or of a voting-district in a representative-district.

In case of the absence of the moderator or of the clerk of a representative-district or of a voting-district in a representative-district divided into voting-districts, the district meeting may elect a moderator or clerk pro tempore, and the clerk shall preside in such election of a moderator. Five electors at least shall be necessary to constitute a quorum for the purpose of electing such moderator or clerk pro tempore.

Officer pro tempore, to be duly sworn.

The officer so elected shall be sworn to the faithful discharge of his duties by any person authorized to administer oaths, and shall hold office in the cities of Providence and Pawtucket until a moderator or clerk is appointed by the board of canvassers and registration thereof, respectively, and in all other such cities and towns until the election and qualification of his successor.

New election in case of certain vacancies.

SEC. 11. (As amended by Section 39, Chapter 640, Public Laws.) In case of the death, resignation, or permanent disability of the moderator of any town, or of the moderator or clerk of any representative-district except in the cities of Provi-

dence and Pawtucket, or of any voting-district in any town not divided into representative-districts, the town or district may proceed to a new election.

SEC. 12. Every moderator or warden shall have power to manage and regulate the business of each meeting, conforming to law, and to maintain peace and good order therein.

Powers of moderator and warden.

SEC. 13. If any person shall conduct himself in a disorderly manner in any town, district or ward meeting, the moderator or warden may order him to withdraw from the meeting; and, on his refusal may order the town sergeant, or any constable present, or any other persons, to take him from the meeting and to confine him in some convenient place until the meeting shall be adjourned; and the person so refusing to withdraw shall, for each offence, be fined not exceeding twenty dollars.

Disorderly persons.

SEC. 14. The moderator of every town meeting shall, on a motion being made and seconded, relative to any business regularly before such meeting, after having heard all the electors entitled to vote thereon who shall be desirous of being heard, cause the votes of the electors present to be taken thereon. Whenever any question shall be pending in any town meeting involving an expenditure of money, or the incurring of liability by the town, or the disposition of town property, the same shall be taken by ballot, if a ballot be called for and the call be seconded by at least five per centum of the electors qualified to vote on the pending question.

Moderator, how to conduct in case of a motion made.

SEC. 15. In all town elections, and on all questions to be decided by ballot, the elector voting shall present his ballot to the moderator or warden without his name being written on the back or face of his ballot, and the ballots shall be received by, and the ballot-boxes shall be in charge of, the moderators or wardens only; and like proceedings shall be had in such cases and in all town meetings, as far as may be, as are prescribed in sections, one, two, eleven, twelve and thirteen of chapter nine.

Vote, how taken in town elections, and when vote is by ballot.

Majority necessary, excepting elections.

SEC. 16. All questions relating to town affairs, excepting elections, shall be decided by a majority of the votes of the electors present entitled to vote on the question.

Town clerk's certificate of proceedings of town meeting.

SEC. 17. A copy of the record of the proceedings of any town meeting, duly certified by the town clerk, shall be evidence of any act or vote of such town in town meeting assembled, recited in such copy, and the certificate of the town clerk that no town meeting has been held to consider any subject in said certificate mentioned, or that no vote of the town has been taken upon such subject, shall be evidence of the fact therein stated.

To govern elections by secret ballot, how far.

SEC. 18. The provisions of this chapter shall govern elective meetings held in accordance with the provisions of chapter eleven, if and so far as they are applicable, and not inconsistent with the provisions of said chapter eleven.

Gen. Laws,  
1896, Ch. 39.  
10 R. I. 101.  
13 R. I. 318.  
16 R. I. 591.

## CHAPTER 49.

### OF THE ELECTION AND QUALIFICATION OF TOWN OFFICERS.

What town officers and when to be chosen,  
15 R. I. 394.  
16 R. I. 453.

SECTION 1. The electors in each town shall annually, on their town election days, choose and elect as many town officers as by the laws of the state are or shall be required; that is to say, a moderator to preside in all the meetings of the town, and a town clerk, a town council to consist of not less than three nor more than seven members, a town treasurer, a town sergeant, a town sealer of weights and measures, one or more auctioneers, such a number of assessors of taxes, not less than three nor more than seven, as may be deemed necessary, one or more collectors of taxes, one or more corders of wood, one or more packers of fish, one or more pound keepers, one sealer of leather, and as many constables, overseers of the poor, viewers of fences, gaugers of casks and all such other officers as by law are required in such town and as each or any town shall have occasion for, including persons to superintend the building of chimneys and placing of stoves and stove-pipes.

SEC. 2. In towns not divided into voting-districts, and in which town meetings for the election of town officers and for the transaction of town business are held on the Tuesday next after the first Monday in November, such town meetings shall be so held and conducted as not to interfere or conflict with elections held on said day under the provisions of chapter eleven.

Town meetings for town business in towns not divided into voting-districts not to conflict with elections by secret ballot.  
Pub. Laws, 852, March 29, 1901.

SEC. 3. Such towns are hereby authorized to elect an assistant moderator, who may preside at such town meetings held on the Tuesday next after the first Monday in November, annually, for the election of town officers and the transaction of town business, and with like power and authority in such town meetings as moderators would have.

An assistant moderator may be elected.  
Pub. Laws, 852, March 29, 1901.

SEC. 4. A duplicate list of the qualified electors in each of the aforesaid towns shall be prepared for use in town meetings held under the provisions of the two sections next preceding; and all the provisions of law relative to the preparation, furnishing and use of voting-lists shall apply to such duplicate lists.

Duplicate voting-list to be prepared.

SEC. 5. Justices of the peace chosen by any town shall be chosen at the time of electing town officers, and shall hold their offices for one year.

Justices of the peace.

SEC. 6. The town clerk shall forthwith make a return of the names of the justices of the peace so chosen, to the secretary of state.

Of return thereof.

SEC. 7. If a vote by ballot be demanded in the election of a moderator or town clerk, a separate vote shall be taken in each case. The mayor of every city and the president of the town council of every town shall, as soon as may be after the election of city clerk or town clerk of such city or town, send to the secretary of state a certificate of the election of such city or town clerk, which certificate shall be kept on file in the office of the secretary of state.

Ballot for moderator and town clerk.

Election to be certified.

SEC. 8. Before the election of members of the town council or justices of the peace is begun at the annual town meeting,

Number of the town council and justices of the peace to be determined.  
15 R. 1. 394.  
16 R. 1. 453.

the electors shall determine the number of such officers to be elected.

Order of the election of town council.

SEC. 9. The members of the town council shall be chosen next in order after the election of town clerk; and in choosing them the vote, whether by ballot or otherwise, shall be taken for the whole number at the same time; and if by ballot, the names of all the persons voted for by any one elector shall be placed upon one ballot.

Order of the election of justices of the peace.

SEC. 10. The justices of the peace shall be next chosen, and in the same manner; but the ballots for the members of the town council, justices of the peace and for any other officers, may be deposited in the ballot-box at the same time if so ordered by the town.

Of election of justices in cities, and in towns divided into voting-districts.

SEC. 11. In cities, the number of justices of the peace to be elected shall be fixed by the city councils, and in towns divided into districts for the purpose of voting, by the town councils, and the voting shall be conducted, in all respects, as is prescribed by law for the voting for senators and representatives in said cities and towns.

Of ballots for council and justices.

SEC. 12. In case of a ballot for members of the town council or justices of the peace, the names shall be numbered upon the ballots, and, in counting them, the places numbered shall be considered as separate places.

When and what officers shall and may be elected by town council.

SEC. 13. In case any town shall, on the day of any such annual election, fail to elect any of the officers whom they may lawfully choose, except town clerk, town council, justices of the peace and town treasurer, the said officers shall be elected by the town council of the town at their next meeting: *Provided, however,* that town councils may postpone the election of any of said officers to some future meeting; and the several towns shall have full power to delegate to their respective town councils the election of any of the officers whom such town may lawfully choose, except town clerk, town council, justices of the peace and town treasurer.

SEC. 14. Mayors of cities shall be elected by a plurality of the electors qualified to vote in the election of general officers, who shall vote for the candidates for said office.

Mayors of cities to be elected by plurality.

SEC. 15. Unless some other form of engagement be specially by law prescribed, every person elected to any town or city office, whether by the town, city council, board of aldermen or town council, and every moderator and warden, and ward and district clerk, shall take the following engagement before he shall act therein, before some person authorized to administer oaths: You [*naming the person*] do solemnly swear (*or*, affirm) that you will be true and faithful unto this state, and support the laws and constitution thereof, and the constitution of the United States; and that you will well and truly execute the office of [*naming the office*] for the ensuing year, or until another be engaged in your place, or until you be legally discharged therefrom; so help you God (*or*, this affirmation you make and give upon peril of the penalty of perjury).

Oath of town and city officers.  
1 R. I. 292.

SEC. 16. The officer administering the oath shall make and deliver to such officer a certificate of the taking of such oath.

Certificate of oath.

SEC. 17. Every collector of taxes shall give bond, with sufficient surety, for the faithful performance of such trust, to the town treasurer of the town for which he is chosen, in such sum as the said town or the town council of said town shall determine, not exceeding double the amount of the tax with the collection of which he shall be charged. Whenever any town shall elect its town treasurer collector of taxes for such town, the bond to be given by such collector under the provisions hereof shall be given to the town, and shall be delivered to the town council for safe keeping, and upon the happening of any breach of the condition of the said bond, an action thereon may be commenced in the name of the town to which it was given.

Collector of taxes to give bond.  
10 R. I. 378.  
16 R. I. 83.  
19 R. I. 578.

SEC. 18. In case of the death, resignation or removal of any collector of taxes, the collector who shall be appointed to complete the collection thereof shall have the same power to

Who to collect taxes, collector dead, etc.

Town officers  
to serve until  
their successors  
are qualified.

15 R. I. 332.  
17 R. I. 415.  
24 R. I. 98.  
24 R. I. 340.  
27 R. I. 478.

Town council  
to fill vacancies  
in certain  
offices.

collect the same as is by law given to the collector first appointed.

SEC. 19. All town officers shall hold their offices until the next annual election of town officers, and thereafter until their successors shall be lawfully qualified to act; unless where it is expressly provided to the contrary.

SEC. 20. (As amended by Section 40, Chapter 640, Public Laws.) Whenever a vacancy shall occur in any office by death, removal out of town, resignation, or by neglect or refusal to qualify, or for any other cause, the town council may fill the same until the next town meeting for the election of such officers, and whenever from any cause there shall be vacancies in the town council of any town, so that there shall not be sufficient members to form a quorum, the town clerk shall call a special town meeting in the manner provided by law for calling special town meetings, at which meeting, or at any subsequent meeting called for that purpose, such vacancies shall be filled in the manner provided for the election of such officers.

Prosecuting  
officers are not  
required to give  
surety on com-  
plaints.

SEC. 21. Officers elected by a town to prosecute for violations of its ordinances, by-laws and regulations, shall not be required to give surety for costs upon complaints made by them therefor, but such town shall be directly liable to the state for costs incurred in such prosecution.

Special statutes  
prevail.

SEC. 22. The provisions of this chapter are subject to the provisions of any special statutes respecting any particular town or city, none of which are repealed hereby.

To govern elec-  
tions by secret  
ballot, how far.

SEC. 23. The provisions of this chapter shall govern elective meetings held in accordance with the provisions of chapter eleven, if, and so far as they are applicable and not inconsistent with the provisions of said chapter eleven.



## EXTRACTS FROM

## CHAPTER 640, PUBLIC LAWS.

(Approved August 22, 1910.)

SEC. 41. All persons who, at the time when this act goes into effect, shall hold office under any and all acts or parts of any act hereby repealed shall continue to hold their offices under the present tenure thereof, except those offices which are abolished and those as to which a different provision is made by this act.

Officers holding under a law repealed by this act, to continue to serve out their term of office.

SEC. 42. Chapter 464 of the Public Laws, passed at the January session, A. D. 1909, and all acts and parts of acts inconsistent herewith, are hereby repealed.

Certain acts repealed.

SEC. 43. This act shall take effect upon its passage.

CHAPTERS OF THE PUBLIC LAWS PASSED SINCE THE REVISION  
OF THE GENERAL LAWS.

## CHAPTER 475.

AN ACT IN RELATION TO THE HOLDING OF CAUCUSES IN THE  
TOWN OF BRISTOL.

Passed May 7, 1909.

*It is enacted by the General Assembly as follows:*

SECTION 1. In the town of Bristol, the caucuses of all political parties shall be held in accordance with the provisions of this act, and such provisions shall apply only in said town. For the purpose of this act, a political party is hereby defined to be one which at the next preceding annual election of state officers cast for its candidate for governor at least two per cent. of all the votes cast in the state for that officer. Caucus and convention nominations shall be made only by political parties.

Bristol, town of.

SEC. 2. The qualified electors of each political party in said town shall annually, at the caucus held to elect delegates

to the convention to nominate a candidate for governor, elect a town committee for such town. Each town committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members. The general management of the affairs of each political party in such town shall be vested in its town committee, subject to the rules and regulations which the state committee of such political party shall make. Any vacancy occurring in any of the offices or in the membership of said town committee shall be filled by such committee. A statement thereof shall be filed as in the case of officers and members first chosen. Town committees shall hold office from the date of their election until the next annual election of such committees and thereafter until their successors have organized. Town committees may make regulations, not inconsistent with law, to determine membership in the party and to restrain those not entitled to vote at caucuses called by them from taking part therein, and such regulations shall be furnished to and shall govern the officers by this act charged with the duty of preparing caucus voting lists in the preparation of such lists, so far as they are not in conflict with the provisions of this act. Each town committee shall attend the caucuses of the party to which it belongs, to perform the duties herein imposed upon it.

SEC. 3. All caucuses shall be held in said town at the call of the town committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held. It shall state the places where such caucuses are to be held, the hour of holding the same, the time during which the polls are to be open, and the business to be transacted thereat, and said call shall be posted, at least four days prior to the holding of said caucus, in six or more public places in said town. No two political parties shall hold their caucuses on the same day.

SEC. 4. At least ten days previous to the date on which a political party desires to hold its caucuses in said town the

chairman of the town committee of such political party shall notify, in writing, the town clerk of the date selected for such caucuses, and the political party first making such selection and notification for a certain date shall be entitled to hold its caucuses on that date, if such date is one on which caucuses may be lawfully held. If such date is one previously so selected and notified by some other political party, or is one on which caucuses may not be lawfully held, such chairman shall be immediately notified, in writing, of the fact by the town clerk, and such chairman shall select and make notification of another date. It shall be the duty of said town clerk, in and at the expense of said town of Bristol, to provide a polling place in said town for said caucus, and to notify in writing such chairman as to the place so provided, at least seven days prior to the date of such caucuses.

SEC. 5. No caucus, except a caucus adjourned under the provisions of section fourteen of this act, shall be held within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificate of the nominations of such caucus, nor shall any political party hold caucuses on successive days. All caucuses held to elect delegates to the convention to nominate a candidate for governor, and to nominate candidates for the general assembly from said town, excepting those caucuses necessary for a special election, shall be held after the second Thursday next after the first Monday in September of each year. All caucuses held to nominate candidates for town officers in said town, excepting those caucuses necessary for a special election, shall be held within twenty-five days of the second Wednesday in March in each year. Caucuses necessary for a special election shall be held not more than ten days before, nor within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificates of the nominations of such caucuses.

SEC. 6. The town committee of each political party in said town shall, at least two days prior to the date of the caucus, appoint a caucus chairman and a caucus clerk and assistant caucus clerks, as the same may be necessary for said town, who shall be qualified electors of said town, and members of such political party, and shall fill all vacancies which occur in such offices from any cause, except as hereinafter provided. Caucus chairmen and caucus clerks so appointed shall hold office until the first day of January next succeeding their appointment and thereafter until their successors are appointed, and shall have the same powers and duties in the conduct of caucuses as are conferred by law upon wardens and ward clerks of elective meetings.

SEC. 7. The caucus chairman appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat, and the caucus clerk and assistant caucus clerks shall check the voting list. In case a caucus chairman is absent at the time at which the caucus has been called, or in case a caucus chairman becomes incapacitated during the holding of the caucus, the town committee, or a majority of the members thereof present at such caucus, shall appoint a qualified elector of such party residing in said town as caucus chairman for such caucus. If no member of the town committee is present, the clerk of such caucus, or, in case of his absence or incapacity, then any qualified elector of such political party shall call the meeting to order, and the electors present shall elect some qualified person as caucus chairman of such caucus. In case a caucus clerk is absent at the time at which the caucus has been called, or in case a caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the town committee of said town, or such majority thereof, shall appoint some qualified elector of the town as such caucus clerk. If no member of the town committee is present, the caucus chairman shall appoint some

qualified elector as aforesaid as caucus clerk. All caucuses shall be called to order at seven-thirty o'clock P. M. The polls shall be opened at or before eight P. M., and the ballot boxes shall be opened and the interior thereof exposed to the view of all present by the chairman before any ballots are cast. Any necessary business not finished at eight P. M. shall be postponed until after the polls are closed and the result of the balloting announced. The polls shall be kept open until ten P. M., and no longer. Except for the filling of vacancies in the office of caucus chairman and caucus clerk, as hereinbefore provided in this section, a ballot shall be required for the choice of all candidates for elective offices, for delegates to conventions, and for members of town committees, to be elected by such caucuses. All ballots shall be printed or written on white paper, of uniform size to be determined by the town committee of each political party in said town, and no tissue paper shall be used for any caucus ballot. The names of all candidates for which any elector shall vote at any caucus shall be written or printed upon one ballot.

SEC. 8. No person shall be entitled to vote or take part in the caucus of any political party who within fourteen calendar months has voted or taken part in the caucus of any other political party, or has signed nomination papers of a candidate or candidates for any elective officer, or has voted in any election for the candidates of any other political party or for candidates placed in nomination by nomination papers, or is debarred from so voting or taking part by the regulations of such party provided for in section two of this act. No person who has voted in the caucus of any political party shall be eligible to sign any nomination paper containing nominations of candidates within fourteen calendar months thereafter.

SEC. 9. The town clerk of said town shall prepare the voting lists for use at all caucuses held in said town. At all caucuses the voting lists as last published or canvassed according to law by

the board of canvassers of said town shall be used, corrected as hereinafter provided. The board of canvassers in said town shall hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November in each year, and on the twenty-seventh day preceding the second Wednesday in March in each year, and also on a day not more than five days prior to the earliest day lawfully selected by any political party for the holding of caucuses made necessary by a special election in such town, to canvass and correct the voting lists of electors qualified. Notice of said canvass meetings shall be given in such manner as such board of canvassers shall respectively prescribe.

SEC. 10. In preparing caucus voting lists for the caucuses of any political party there shall be stricken from the lists specified in section nine of this act the names of all persons shown by the nomination papers, or copies thereof, and used caucus voting lists in the possession of the town clerk, to be debarred from voting in such caucuses by the provisions of section eight of this act, or who are shown by the regulations of such political party to be not entitled to vote in its caucuses. Each such list shall be endorsed with the name of such political party, and shall be certified by such town clerk.

SEC. 11. The town clerk is hereby authorized and required to furnish, at the expense of said town, suitable ballot boxes, blank forms of certificates and returns, and other election stationery, for each polling place at which any caucus is held, and to cause the voting lists prepared as aforesaid to be delivered at each such polling place to the caucus chairman, prior to the hour of seven-thirty o'clock in the evening of the day on which any such caucus is to be held; and it is hereby made the duty of the chief of police of said town to detail such number of police officers to each such polling place, for the preservation of order, and to deliver the voting lists aforesaid, as may be requested by said town clerk.

SEC. 12. The caucus chairman shall receive the ballots of all persons whose names are upon the lists certified and furnished to him, and shall reject the ballots of all other persons.

SEC. 13. Immediately in the closing of the polls the caucus chairman and clerk shall in open caucus proceed to count the ballots cast in the presence of such representatives as may be appointed in writing, one by each candidate voted for at said caucus; and each candidate receiving a plurality of the ballots cast for the office for which he was a candidate shall be declared by the caucus chairman to be elected or nominated, as the case may be. The ballots and voting lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting, substantially in form required by law in the case of elective meetings, and shall be forthwith delivered in person by the caucus clerk to the town clerk in said town.

SEC. 14 In case at any caucus a majority of a delegation to any convention, or of any town committee, are not elected, or in case of a tie vote for any candidate for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by the caucus chairman, but not to any day at which a caucus of any political party has been called. In case of a tie vote for a smaller number than a majority of the delegates to a convention, or of the members of a town committee, the elected members of the delegation or of the committee shall fill the vacancies so caused and make notification of their action to the person or officer entitled to receive the same. In all cases the delegates to a convention shall have power to fill vacancies in their number appearing at the hour of the meeting of such convention.

SEC. 15. The chairman of every caucus shall, within twenty-four hours after said caucus is held, deliver or send to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a certificate of his nomination,

and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably filed in the proper public office, unless proceedings for a recount of the ballots cast at such caucus are inaugurated conformably to the provisions of section sixteen of this act, in which case he shall not deliver, send, or cause to be filed any such certificates. Upon each check list used at such caucus the clerk and assistant caucus clerks checking such list shall make a return under oath that the said check list is the identical one used in the caucus of the political party for which it was furnished, and that the names checked were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon.

SEC. 16. If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this act a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee shall serve upon the town clerk of said town a statement in writing that the records and returns made by the caucus officer, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election or nomination by said caucus for the petitioner, and petitioning for a recount of such ballots by the board of canvassers of said town, such town clerk shall retain all the ballots cast at such caucus until such claim is withdrawn or the contest for the nomination or election is fully determined, as hereinafter provided. The town clerk upon whom such statement is served shall forthwith notify the members of the board of canvassers of his town of the filing of such petition, and it shall be the duty of said board of canvassers to forthwith convene, and to cause notice in writing to be served, in such manner as said board of canvassers shall direct, upon all other candidates for the same office receiving votes at said caucus, at the expense of the peti-



tioner, of the filing of such petitions for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours, exclusive of Sundays and legal holidays, from the time of ordering such notice. At the time specified by said board of canvassers said town clerk shall transmit to such board all the ballots cast at such caucus and the voting list used thereat, and at the appointed time and place said board of canvassers shall proceed to recount said ballots and to hear and determine all questions raised for or against the counting of the same or of any thereof, and shall declare, as the result of such recount and determination, what persons, if any, were lawfully elected or nominated at such caucus. Such declaration shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with a certificate of such recount and determination made and filed with him by said board, which certificate shall be deemed to be made and filed as of the day of holding such caucus. Said board shall also furnish to each delegate and member of a committee, so declared to be elected, a certificate of his election. Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

SEC. 17. The town clerk of said town shall retain under seal for the period of fourteen calendar months all of the voting lists returned to him under the provisions of this act: *Provided*, that such lists may be unsealed for use in the proceedings provided for in sections ten and sixteen of this act, after which they shall be immediately resealed, and that the said town clerk, after a check list has been used at a caucus of a political party held under the provisions of this act, upon written application for a copy of the list as checked, signed by any qualified elector in the said town where such list was used, and upon payment or

tender of the fees provided by law therefor, may unseal and open the wrapper containing such check list, and shall furnish to such applicant a certified copy of the list as checked, and shall then reseal the same.

SEC. 18. Every public officer or officer of a political party who shall willfully violate any of the provisions of this act, or shall refuse, or willfully neglect and omit, to perform, in the manner and within the time prescribed, any duty imposed upon him by this act, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceeding thirty days, or both. Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote, or votes or attempts to vote upon any other name than his own, or votes or attempts to vote more than once upon his own name, or deposits or attempts to deposit more than one ballot for any candidate for any elective office or delegate to any convention or member of any political committee at the same balloting, or at any caucus gives a false answer to any caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days. Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid at the same balloting, shall be punished by imprisonment in jail not exceeding thirty days. Whoever willfully alters, or willfully makes any change, erasure, or additional check upon the voting list used or to be used at a caucus, or, having custody or control of such voting list, shall suffer or permit any alteration, change, erasure, or additional check to be made upon such voting list, shall be punished by imprisonment in jail not exceeding sixty days. Excepting otherwise herein provided, the penalties imposed by law upon election

and other officers and voters who violate the provisions of acts regulating elective meetings are hereby imposed upon the same and like caucus and other officers and voters for the same and like violations of this act.

SEC. 19. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this act.

SEC. 20. The secretary of state shall make and send to the town clerk of said town copies of all nomination papers filed with him which contain the names of electors of such town.

SEC. 21. The town committees elect in said town at the time of the passage of this act shall organize and serve in the same manner and with the same effect as if they had been elected under its provisions.

SEC. 22. This act shall take effect upon its passage.

## CHAPTER 479.

AN ACT IN AMENDMENT OF CHAPTER 1078 OF THE PUBLIC LAWS, ENTITLED "AN ACT IN RELATION TO THE HOLDING OF CAUCUSES IN THE CITIES OF PROVIDENCE, NEWPORT, AND PAWTUCKET."

Passed Feb.  
24, 1909.

(See Chapter 12, General Laws.)

*It is enacted by the General Assembly as follows:*

SECTION 1. Chapter 1078 (Chapter 12, General Laws) of the Public Laws, entitled "An act in relation to the holding of caucuses in the cities of Providence, Newport, and Pawtucket," is hereby amended so that the provisions of said act shall apply to the city of Central Falls in the same manner as they apply to the city of Newport: *Provided*, that the notice to be published, as prescribed in Section 3 of said act, shall be published as to the city of Central Falls in one or more newspapers which are

Providence,  
Newport, and  
Pawtucket  
caucuses.

circulated in said Central Falls, and which are published in either the city of Pawtucket, or the city of Providence; *and, provided further*, that the time for closing the polls at the caucuses in said Central Falls shall be at nine o'clock P. M., instead of ten o'clock P. M., as provided for in Section 7 of said act.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

## CHAPTER 746.

Approved  
April 26, 1911.

### AN ACT IN RELATION TO THE HOLDING OF CAUCUSES IN THE TOWN OF EAST PROVIDENCE.

*It is enacted by the General Assembly as follows:*

Political party  
defined.

SECTION 1. In the town of East Providence, the caucuses of all political parties shall be held in accordance with the provisions of this act, and such provisions shall apply only in said town. For the purposes of this act, a political party is hereby defined to be one which at the next preceding annual election of state officers cast for its candidate for governor at least two per cent. of all the votes cast in the state for that officer. Caucus and convention nominations shall be made only by political parties.

Method of  
electing town  
committee, and  
powers and  
duties thereof.

SEC. 2. The qualified electors of each political party in said town shall annually, at the caucus held to elect delegates to the convention to nominate a candidate for governor, elect a town committee for such town. Each town committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members. The general management of the affairs of each political party in such town shall be vested in its town committee, subject to the rules and regulations which the state committee of such political party shall make. Any vacancy occurring in any of the offices or in the membership

of said town committee shall be filled by such committee. A statement thereof shall be filed as in the case of officers and members first chosen. Town committees shall hold office from the date of their election until the next annual election of such committees and thereafter until their successors have organized. Town committees may make regulations, not inconsistent with law, to determine membership in the party and to restrain those not entitled to vote at caucuses called by them from taking part therein, and such regulations shall be furnished to and shall govern the officers by this act charged with the duty of preparing caucus voting lists in the preparation of such lists, so far as they are not in conflict with the provisions of this act. Each town committee shall attend the caucuses of the party to which it belongs, to perform the duties herein imposed upon it.

SEC. 3. All caucuses shall be held in said town at the call of the town committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held. It shall state the places where such caucuses are to be held, the hour of holding the same, the time during which the polls are to be open, the business to be transacted thereat and the uniform size of the ballots to be used in said caucus, and said call shall be posted, at least four days prior to the holding of said caucus, in six or more public places in said town. No two political parties shall hold their caucuses on the same day.

Caucuses, how called.

SEC. 4. At least ten days previous to the date on which a political party desires to hold its caucuses in said town the chairman of the town committee of such political party shall notify in writing, the town clerk of the date selected for such caucuses, and the political party first making such selection and notification for a certain date shall be entitled to hold its caucuses on that date, if such date is one on which caucuses may be lawfully held. If such date is one previously so selected and notified by some other political party, or is one on which caucuses may not

Town clerk to be notified of date of caucus and to furnish polling-places therefor.

be lawfully held, such chairman shall be immediately notified, in writing, of the fact by the town clerk, and such chairman shall select and make notification of another date. It shall be the duty of said town clerk, in and at the expense of said town of East Providence, to provide a polling place in said town for said caucus, and to notify in writing such chairman as to the place so provided, at least seven days prior to the date of such caucuses.

Caucuses, when  
to be held.

SEC. 5. No caucus, except a caucus adjourned under the provisions of section fourteen of this act, shall be held within two days, exclusive of Sundays and legal holidays, of the last days for filing the certificate of the nominations of such caucus, nor shall any political party hold caucuses on successive days. All caucuses, excepting those caucuses necessary for a special election, shall be held after the second Thursday next after the first Monday in September of each year. All caucuses held to nominate candidates for town officers in said town, excepting those caucuses necessary for a special election, shall be held within twenty-five days of the Tuesday next after the first Monday in November in each year. Caucuses necessary for a special election shall be held not more than ten days before, nor within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificates of the nominations of such caucuses.

Caucus officers  
to be selected  
by town com-  
mittee.

SEC. 6. The town committee of each political party in said town shall, at least two days prior to the date of the caucus, appoint a caucus chairman and a caucus clerk for each voting-district thereof, who shall be qualified electors of said town, representative-districts and voting-districts, respectively, in which they are appointed to serve as members of such political party, and shall fill all vacancies which occur in such offices from any cause, except as hereinafter provided. Caucus chairmen and caucus clerks so appointed shall hold office until the first day of January next succeeding their appointment and thereafter until their successors are appointed and shall have the

same powers and duties in the conduct of caucuses as are conferred by law upon wardens and ward clerks of elective meetings.

SEC. 7. The caucus chairman appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat. Each caucus clerk shall check the voting-list of the voting-district in which he is appointed to serve. In case a caucus chairman is absent at the time at which the caucus has been called, or in case a caucus chairman becomes incapacitated during the holding of the caucus, the town committee, or a majority of the members thereof present at such caucus, shall appoint a qualified elector of such party residing in said town or representative-district as caucus chairman for such caucus. If no member of the town committee is present, the clerk of the first voting-district in such town, or, in case of his absence or incapacity, then of the voting-district clerks present the one next in numerical order of the districts, shall call the meeting to order, and the electors present shall elect some qualified person as caucus chairman of such caucus. In case a caucus clerk is absent at the time at which the caucus has been called, or in case a caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the town committee of said town, or such majority thereof, shall appoint some qualified elector of the town or representative-district as such caucus clerk. If no member of the town committee is present, the caucus chairman shall appoint some qualified elector as aforesaid as caucus clerk. All caucuses shall be called to order at seven o'clock P. M., the polls shall be open at or before seven-thirty P. M., and the ballot boxes shall be opened and the interior thereof exposed to the view of all present by the chairman before any ballots are cast. Any necessary business not finished at seven-thirty P. M. shall be postponed until after the polls are closed and the result of the balloting announced. The polls shall be kept open until ten

Duties of caucus officers.

Hours during which polls must remain open.

P. M., and no longer. Except for the filling of vacancies in the office of caucus chairman and caucus clerk, as hereinbefore provided in this section, a ballot shall be required for the choice of all candidates for elective offices, for delegates to conventions, and for members of town committees, to be elected by such caucuses. All ballots shall be printed or written on white paper, of uniform size to be determined by the town committee of each political party in said town, and no tissue paper shall be used for any caucus ballot. The names of all candidates for which any elector shall vote at any caucus shall be written or printed upon one ballot.

Form of caucus  
ballot.

SEC. 8. No person shall be entitled to vote or take part in the caucus of any political party who within fourteen calendar months has voted or taken part in the caucus of any other political party, or has signed nomination papers of a candidate or candidates for any elective officer, or has voted in any election for the candidates of any other political party or for candidates placed in nomination by nomination papers, or is debarred from so voting or taking part by the regulations of such party provided for in section two of this act. No person who has voted in the caucus of any political party shall be eligible to sign any nomination paper containing nominations of candidates within fourteen calendar months thereafter.

Who may participate in caucus.

SEC. 9. The town clerk of said town shall prepare the voting lists for use at all caucuses held in said town. At all caucuses the voting lists as last published or canvassed according to law by the board of canvassers of said town shall be used, corrected as hereinafter provided. The board of canvassers in said town shall hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November in each year, and also on a day not more than five days prior to the earliest day lawfully selected by any political party for the holding of caucuses made necessary by a special election in such town, to canvass and correct the voting lists of electors qualified.

Town clerk to  
prepare voting-  
lists.



Notice of said canvass meeting shall be given in such manner as such board of canvassers shall prescribe.

SEC. 10. In preparing caucus voting lists for the caucuses of any political party there shall be stricken from the lists specified in section nine of this act the names of all persons shown by the nomination papers, or copies thereof, and used caucus voting lists in the possession of the town clerk, to be debarred from voting in such caucuses by the provisions of section eight of this act, or who are shown by the regulation of such political party to be not entitled to vote in its caucuses. Each such list shall be endorsed with the name of such political party, and shall be certified by such town clerk.

Same subject.

SEC. 11. The town clerk is hereby authorized and required to furnish, at the expense of said town, suitable ballot boxes, blank forms of certificates and returns, and other election stationery, for each polling place at which any caucus is held, and to cause the voting lists prepared as aforesaid to be delivered at each such polling place to the caucus chairman, prior to the hour of seven o'clock in the evening of the day on which any such caucus is to be held; and it is hereby made the duty of the chief of police of said town to detail such number of police officers to each such polling place, for the preservation of order, and to deliver the voting lists aforesaid, as may be requested by said town clerk.

Ballot boxes and supplies.

SEC. 12. The caucus chairman shall receive the ballots of all persons whose names are upon the lists certified and furnished to him, and shall reject the ballots of all other persons.

Caucus chairman to receive ballots.

SEC. 13. Immediately on the closing of the polls the caucus chairman and clerks shall in open caucus proceed to count the ballots cast in the presence of such representatives as may be appointed in writing, one by each candidate voted for at said caucus; and each candidate receiving a plurality of the ballots cast for the office for which he was a candidate shall be declared by the caucus chairman to be elected or nominated, as

Vote, how counted: plurality to elect.

Return of ballots and voting lists.

the case may be. The ballots and voting lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting, substantially in form required by law in the case of elective meetings, and shall be forthwith delivered in person by the caucus clerk of the first voting-district to the town clerk in said town.

In case of tie vote, etc., what action to be taken.

SEC. 14. In case at any caucus a majority of a delegation to any convention, or of any town committee, are not elected, or in case of a tie vote for any candidate for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by the caucus chairman, but not to any day at which a caucus of any political party has been called. In case of a tie vote for a smaller number than a majority of the delegates to a convention, or of the members of a town committee, the elected members of the delegation or of the committee shall fill the vacancies so caused and make notification of their action to the person or officer entitled to receive the same. In all cases the delegates to a convention shall have power to fill vacancies in their number appearing at the hour of the meeting of such convention.

Chairman to prepare certificates of election and nomination.

SEC. 15. The chairman of every caucus shall, within twenty-four hours after said caucus is held, deliver or send to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a certificate of his nomination, and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably filed in the proper public office, unless proceedings for a recount of the ballots cast at such caucus are inaugurated conformably to the provision of section sixteen of this act, in which case he shall not deliver, send, or cause to be filed any such certificates. Upon each check list used at such caucus the clerk checking such list shall make a return under oath that the said check list is the

Verification of check-list by clerk.

identical one used in the caucus of the political party for which it was furnished, and that the names checked were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon.

SEC. 16. If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this act a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee shall serve upon the town clerk of said town a statement in writing that the records and returns made by the caucus officers, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election or nomination by said caucus for the petitioner, and petitioning for a recount of such ballots by the board of canvassers of said town, such town clerk shall retain all the ballots cast at such caucus until such claim is withdrawn or the contest for the nomination or election is fully determined as hereinafter provided. The town clerk upon whom such statement is served shall forthwith notify the members of the board of canvassers of his town of the filing of such petition, and it shall be the duty of said board of canvassers to forthwith convene, and to cause notice in writing to be served, in such manner as said board of canvassers shall direct, upon all other candidates for the same office receiving votes at said caucus, at the expense of the petitioner, of the filing of such petitions for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours, exclusive of Sundays and legal holidays, from the time of ordering such notice. At the time specified by said board of canvassers said town clerk shall transmit to such board all the ballots cast at such caucus and the voting list used thereat, and at the appointed time and place said board of canvassers shall proceed to recount said ballots and to hear and determine all questions raised for or against the counting of the same or of any thereof, and shall declare, as the

Provisions for  
recount of  
ballots.

Notice of re-  
count.

Method of re-  
count and  
hearing there-  
on.

Recount to be conclusive, and official ballots to be prepared accordingly.

result of such recount and determination, what persons, if any, were lawfully elected or nominated at such caucus. Such declaration shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with a certificate of such recount and determination made and filed with him by said board, which certificate shall be deemed to be made and filed as of the day of holding such caucus. Said board shall also furnish to each delegate and member of a committee, so declared to be elected, a certificate of his election. Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

Candidate or his representative may be represented at recount.

Town clerk to retain under seal all used voting lists, for what period.

Lists may be unsealed, when.

SEC. 17. The town clerk of said town shall retain under seal for the period of fourteen calendar months all of the voting lists returned to him under the provisions of this act: *Provided*, that such lists may be unsealed for use in the proceedings provided for in sections ten and sixteen of this act, after which they shall be immediately resealed, and that the said town clerk, after a check list has been used at a caucus of a political party held under the provisions of this act, upon written application for a copy of the list as checked, signed by any qualified elector in the said town where such list was used, and upon payment or tender of the fees provided by law therefor, may unseal and open the wrapper containing such check list, and shall furnish to such applicant a certified copy of the list as checked, and shall then reseat the same.

Penalties.

SEC. 18. Every public officer or officer of a political party who shall willfully violate any of the provisions of this act, or shall refuse, or willfully neglect and omit, to perform, in the manner and within the time prescribed, any duty imposed upon him by this act, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceed-

ing thirty days, or both. Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote, or votes or attempts to vote upon any other name than his own, or votes or attempts to vote more than once upon his own name, or deposits or attempts to deposit more than one ballot for any candidate for any elective office or delegate to any convention or member of any political committee at the same balloting, or at any caucus gives a false answer to any caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days. Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid at the same balloting, shall be punished by imprisonment in jail not exceeding thirty days. Whoever willfully alters, or willfully makes any change, erasure, or additional check upon the voting list used or to be used at a caucus, or, having custody or control of such voting list, shall suffer or permit any alteration, change, erasure, or additional check to be made upon such voting list, shall be punished by imprisonment in jail not exceeding sixty days. Excepting otherwise herein provided, the penalties imposed by law upon election and other officers and voters who violate the provisions of acts regulating elective meetings are hereby imposed upon the same and like caucus and other officers and voters for the same and like violations of this act.

SEC. 19. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this act.

Arrest without  
warrant.

SEC. 20. The secretary of state shall make and send to the town clerk of said town copies of all nomination papers filed with him which contain the names of electors of such town.

Secretary of  
state to furnish  
copies of cer-  
tain nomina-  
tion papers.

Town committees-elect, to serve.

SEC. 21. The town committees-elect in said town at the time of the passage of this act shall organize and serve in the same manner and with the same effect as if they had been elected under its provisions.

SEC. 22. This act shall take effect upon its passage.

## CHAPTER 762.

Approved  
April 19, 1911.

### AN ACT IN RELATION TO THE HOLDING OF CAUCUSES IN THE TOWN OF TIVERTON.

*It is enacted by the General Assembly as follows:*

Political party defined.

SECTION 1. In the town of Tiverton, the caucuses of all political parties shall be held in accordance with the provisions of this act, and such provisions shall apply only in said town. For the purposes of this act, a political party is hereby defined to be one which at the next preceding annual election of state officers cast for its candidate for governor at least two per cent. of all the votes cast in the state for that officer. Caucus and convention nominations shall be made only by political parties.

SEC. 2. The qualified electors of each political party in said town shall annually, at the caucus held to elect delegates to the convention to nominate a candidate for governor, elect a town committee for such town. Each town committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members. The general management of the affairs of each political party in such town shall be vested in its town committee, subject to the rules and regulations which the state committee of such political party shall make. Any vacancy occurring in any of the offices or in the membership of said town committee shall be filled by such committee. A statement thereof shall be filed as in the case of officers and

members first chosen. Town committees shall hold office from the date of their election until the next annual election of such committees and thereafter until their successors have organized. Town committees may make regulations, not inconsistent with law, to determine membership in the party and to restrain those not entitled to vote at caucuses called by them from taking part therein, and such regulations shall be furnished to and shall govern the officers by this act charged with the duty of preparing caucus voting-lists in the preparation of such lists, so far as they are not in conflict with the provisions of this act. Each town committee shall attend the caucuses of the party to which it belongs, to perform the duties herein imposed upon it.

SEC. 3. All caucuses shall be held in said town at the call of the town committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held. It shall state the places where such caucuses are to be held, the hour of holding the same, the time during which the polls are to be open, and the business to be transacted thereat, and said call shall be posted, at least four days prior to the holding of said caucus, in six or more public places in said town. No two political parties shall hold their caucuses on the same day.

Caucuses, how called.

SEC. 4. At least ten days previous to the date of which a political party desires to hold its caucuses in said town the chairman of the town committee of such political party shall notify, in writing, the town clerk of the date selected for such caucuses, and the political party first making such selection and notification for a certain date shall be entitled to hold its caucuses on that date, if such date is one on which caucuses may be lawfully held. If such date is one previously so selected and notified by some other political party, or is one on which caucuses may not be lawfully held, such chairman shall be immediately notified, in writing, of the fact by the town clerk, and such chairman shall select and make notification of another

Town clerk to be notified of date of caucus and to furnish polling-places therefor.

date. It shall be the duty of said town clerk, in and at the expense of said town of Tiverton, to provide a polling place in said town for said caucus, and to notify in writing such chairman as to the place so provided, at least seven days prior to the date of such caucuses.

Caucuses, when  
to be held.

SEC. 5. No caucus, except a caucus adjourned under the provisions of section fourteen of this act, shall be held within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificate of the nominations of such caucus, nor shall any political party hold caucuses on successive days. All caucuses held to elect delegates to the convention to nominate a candidate for governor, and to nominate candidates for the general assembly from said town, excepting those caucuses necessary for a special election, shall be held after the second Thursday next after the first Monday in September of each year. All caucuses held to nominate candidates for town officers in said town, excepting those caucuses necessary for a special election, shall be held within twenty-five days of the first Wednesday in April in each year. Caucuses necessary for a special election shall be held not more than ten days before, nor within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificates of the nominations of such caucuses.

Caucus officers  
to be selected  
by town com-  
mittee.

SEC. 6. The town committee of each political party in said town shall, at least two days prior to the date of the caucus, appoint a caucus chairman and a caucus clerk and assistant caucus clerks, as the same may be necessary for said town, who shall be qualified electors of said town, and members of such political party, and shall fill all vacancies which occur in such offices from any cause, except as hereinafter provided. Caucus chairman and caucus clerks so appointed shall hold office until the first day of January next succeeding their appointment and thereafter until their successors are appointed, and shall have the same powers and duties in the conduct of caucuses as are



conferred by law upon wardens and ward clerks of elective meetings.

SEC. 7. The caucus chairman appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat, and the caucus clerk and assistant caucus clerks shall check the voting-list. In case a caucus chairman is absent at the time at which the caucus has been called, or in case a caucus chairman becomes incapacitated during the holding of the caucus, the town committee, or a majority of the members thereof present at such caucus, shall appoint a qualified elector of such party residing in said town as caucus chairman for such caucus. If no member of the town committee is present, the clerk of such caucus, or, in case of his absence or incapacity, then any qualified elector of such political party shall call the meeting to order, and the electors present shall elect some qualified person as caucus chairman of such caucus. In case a caucus clerk is absent at the time at which the caucus has been called, or in case a caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the town committee of said town, or such majority thereof, shall appoint some qualified elector of the town as such caucus clerk. If no member of the town committee is present, the caucus chairman shall appoint some qualified elector as aforesaid as caucus clerk. All caucuses shall be called to order at three o'clock P. M. The polls shall be opened at or before three-fifteen P. M., and the ballot boxes shall be opened, and the interior thereof exposed to view of all present by the chairman before any ballots are cast. Any necessary business not finished at three-fifteen P. M. shall be postponed until after the polls are closed and the result of the balloting announced. The polls shall be kept open until four-thirty P. M., and no longer. Except for the filling of vacancies in the office of caucus chairman and caucus clerk, as hereinbefore provided in this section, a ballot shall be required for the choice of all

Duties of caucus officers.

Hours during which polls must remain open.

Form of caucus ballot.

candidates for elective offices, for delegates to conventions, and for members of town committees, to be elected by such caucuses. All ballots shall be printed or written on white paper, of uniform size to be determined by the town committee of each political party in said town, and no tissue paper shall be used for any caucus ballot. The names of all candidates for which any elector shall vote at any caucus shall be written or printed upon one ballot.

Who may participate in caucuses.

SEC. 8 No person shall be entitled to vote or take part in the caucus of any political party who within fourteen calendar months has voted or taken part in the caucus of any other political party, or has signed nomination papers of a candidate or candidates for any elective officer, or has voted in any election for the candidates of any other political party or for candidates placed in nomination by nomination papers, or is debarred from so voting or taking part by the regulations of such party provided for in section two of this act. No person who has voted in the caucus of any political party shall be eligible to sign any nomination paper containing nominations of candidates within fourteen calendar months thereafter.

Town clerk to prepare voting-lists.

SEC. 9. The town clerk of said town shall prepare the voting-lists for use at all caucuses held in said town. At all caucuses the voting-lists as last published or canvassed according to law by the boards of canvassers of said town shall be used and corrected as hereinafter provided. The board of canvassers in said town shall hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November in each year, and on the twenty-seventh day preceding the first Wednesday in April in each year, and also on a day not more than five days prior to the earliest day lawfully selected by any political party for the holding of caucuses made necessary by a special election in such town, to canvass and correct the voting-lists of electors qualified. Notice of said canvass meetings shall

be given in such manner as such boards of canvassers shall respectively prescribe.

SEC. 10. In preparing caucus voting-lists for the caucuses of any political party there shall be stricken from the lists specified in section nine of this act the names of all persons shown by the nomination papers, or copies thereof, and used caucus voting-lists in the possession of the town clerk, to be debarred from voting in such caucuses by the provisions of section eight of this act, or who are shown by the regulations of such political party to be not entitled to vote in its caucuses. Each such list shall be endorsed with the name of such political party, and shall be certified by such town clerk. Same subject.

SEC. 11. The town clerk is hereby authorized and required to furnish, at the expense of said town, suitable ballot boxes, blank forms of certificates and returns, and other election stationery, for each polling place at which any caucus is held; and to cause the voting-lists prepared as aforesaid to be delivered at each such polling place to the caucus chairman, prior to the hour of three o'clock in the afternoon of the day on which any such caucus is to be held; and it is hereby made the duty of the chief of police of said town to detail such number of police officers to each such polling place, for the preservation of order, and to deliver the voting-lists aforesaid, as may be requested by said town clerk. Ballot boxes and supplies.

SEC. 12. The caucus chairman shall receive the ballots of all persons whose names are upon the lists certified and furnished to him, and shall reject the ballots of all other persons. Caucus chairman to receive ballots.

SEC. 13. Immediately on the closing of the polls the caucus chairman and clerk shall in open caucus proceed to count the ballots cast in the presence of such representatives as may be appointed in writing, one by each candidate voted for at said caucus; and each candidate receiving a plurality of the ballots cast for the office for which he was a candidate shall be declared by the caucus chairman to be elected or nominated, as the case Vote how counted; plurality to elect.

Return of ballots and voting-lists.

may be. The ballots and voting-lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting, substantially in form required by law in the case of elective meetings, and shall be forthwith delivered in person by the caucus clerk to the town clerk in said town.

In case of tie vote, etc., what action to be taken.

SEC. 14. In case at any caucus a majority of a delegation to any convention, or of any town committee, are not elected, or in case of a tie vote for any candidate for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by the caucus chairman, but not to any day at which a caucus of any political party has been called. In case of a tie vote for a smaller number than a majority of the delegates to a convention, or of the members of a town committee, the elected members of the delegation or of the committee shall fill the vacancies so caused and make notification of their action to the person or officer entitled to receive the same. In all cases the delegates to a convention shall have power to fill vacancies in their number appearing at the hour of the meeting of such convention.

Chairman to prepare certificates of election and nomination.

SEC. 15. The chairman of every caucus shall, within twenty-four hours after said caucus is held, deliver or send to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a certificate of his nomination, and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably filed in the proper public office, unless proceedings for a recount of the ballots cast at such caucus are inaugurated conformably to the provisions of section sixteen of this act, in which case he shall not deliver, send, or cause to be filed any such certificates.

Verification of check-list by clerk.

Upon each check list used at such caucus the clerk and assistant caucus clerks checking such list shall make a return under oath that the said check list is the identical one used in the caucus

of the political party for which it was furnished, and that the names checked were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon.

SEC. 16. If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this act a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee shall serve upon the town clerk of said town a statement in writing that the records and returns made by the caucus officers, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election or nomination by said caucus for the petitioner, and petitioning for a recount of such ballots by the board of canvassers of said town, such town clerk shall retain all the ballots cast at such caucus until such claim is withdrawn or the contest for the nomination or election is fully determined, as hereinafter provided. The town clerk upon whom such statement is served shall forthwith notify the members of the board of canvassers of his town of the filing of such petition, and it shall be the duty of said board of canvassers to forthwith convene, and to cause notice in writing to be served, in such manner as said board of canvassers shall direct, upon all other candidates for the same office receiving votes at said caucus, at the expense of the petitioner, of the filing of such petitions for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours, exclusive of Sundays and legal holidays, from the time of ordering such notice. At the time specified by said board of canvassers said town clerk shall transmit to such board all the ballots cast at such caucus and the voting-list used thereat, and at the appointed time and place said board of canvassers shall proceed to recount said ballots and to hear and determine all questions raised for or against the counting of the same or of any thereof, and shall declare, as the result of

Provisions for  
recount of bal-  
lots.

Notice of re-  
count.

Method of re-  
count and hear-  
ing thereon.

Recount to be conclusive and official ballots to be prepared accordingly.

Candidate or his representative may be present at recount.

Town clerk to retain under seal all used voting-lists, for what period.

Penalties.

such recount and determination, what persons, if any, were lawfully elected or nominated at such caucus. Such declaration shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with a certificate of such recount and determination made and filed with him by said board, which certificate shall be deemed to be made and filed as of the day of holding such caucus. Said board shall also furnish to each delegate and member of a committee, so declared to be elected, a certificate of his election. Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

SEC. 17. The town clerk of said town shall retain under seal for the period of fourteen calendar months all of the voting-lists returned to him under the provisions of this act: *Provided*, that such lists may be unsealed for use in the proceedings provided for in sections ten and sixteen of this act, after which they shall be immediately resealed, and that the said town clerk, after a check list has been used at a caucus of a political party held under the provisions of this act, upon written application for a copy of the list as checked, signed by any qualified elector in the said town where such list was used, and upon payment or tender of the fees provided by law therefor, may unseal and open the wrapper containing such check list, and shall furnish to such applicant a certified copy of the list as checked, and shall then reseat the same.

SEC. 18. Every public officer or officer of a political party who shall willfully violate any of the provisions of this act, or shall refuse, or willfully neglect and omit, to perform, in the manner and within the time prescribed, any duty imposed upon him by this act, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceed-

ing thirty days, or both. Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote, or votes or attempts to vote upon any other name than his own, or votes or attempts to vote more than once upon his own name, or deposits or attempts to deposit more than one ballot for any candidate for any elective office or delegate to any convention or member of any political committee at the same balloting, or at any caucus gives a false answer to any caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days. Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid at the same balloting, shall be punished by imprisonment in jail not exceeding thirty days. Whoever willfully alters, or willfully makes any change, erasure, or additional check upon the voting-list used or to be used at a caucus, or, having custody or control of such voting-list, shall suffer or permit any alteration, change, erasure, or additional check to be made upon such voting-list, shall be punished by imprisonment in jail not exceeding sixty days. Excepting otherwise herein provided, the penalties imposed by law upon election and other officers and voters who violate the provisions of acts regulating elective meetings are hereby imposed upon the same and like caucus and other officers and voters for the same and like violations of this act.

SEC. 19. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this act.

Arrest without  
warrant.

SEC. 20. The secretary of state shall make and send to the town clerk of said town, copies of all nomination papers filed with him which contain the names of electors of such town.

Secretary of  
state to fur-  
nish copies of  
certain nomi-  
nation papers

Town committees elect, to serve.

SEC. 21. The town committees-elect in said town at the time of the passage of this act shall organize and serve in the same manner and with the same effect as if they had been elected under its provisions.

SEC. 22. This act shall take effect upon its passage.

## CHAPTER 815.

Approved  
April 26, 1912.

AN ACT AUTHORIZING AND DIRECTING THE BOARD OF CANVASSERS AND THE BOARDS OF CANVASSERS AND REGISTRATION OF THE SEVERAL CITIES AND TOWNS TO PROVIDE VOTING PLACES AND CAUCUS SUPPLIES ON CERTAIN OCCASIONS.

*It is enacted by the General Assembly as follows:*

Boards of canvassers and boards of canvassers and registration to furnish voting places and paraphernalia for certain primary meetings.

SECTION 1. The board of canvassers and the boards of canvassers and registration of the several cities and towns of the state are hereby authorized and directed to furnish for the use of any political party in this state, upon written request of the chairman of the state central committee thereof, acting under a resolution of said committee, voting places in which primary meetings may be held to elect delegates to the national convention of such political party. Said boards shall have said voting places open on the date and during the hours requested by said chairman of said committee, and shall furnish to the officers appointed to act at said primary meetings such paraphernalia, including check-lists and ballot-boxes, as are generally required and used in caucuses, and in addition thereto shall furnish in the same manner as is now required at elective meetings, voting shelves or compartments to enable the voter to mark his ballot in secret: *Provided*, that the political party first requesting as aforesaid the use of said voting places on and for a certain date, shall be entitled to the use thereof on that date; and if such

Method of fixing dates for holding said primaries.



date is one requested by some other political party as aforesaid, such other political party, through the chairman of said committee as aforesaid, may request another date. In cities a voting place and paraphernalia therefor shall be furnished and provided for each ward into which such cities may be divided; and in each of the towns of Burrillville, Cumberland, East Providence, Lincoln and Warwick, two such voting places and the paraphernalia therefor, and in every other town one such voting place and the paraphernalia therefor shall be furnished and provided.

Number of  
voting places  
to be furnished.

SEC. 2. Nothing in this act shall be construed to require the boards of canvassers and registration to furnish ballots to be used at said primary meetings, nor to provide for the compensation for services of the officers appointed to act at said primary meetings; nor shall anything contained herein be held to affect the method of holding caucuses already provided for by law.

Said boards not  
to be required  
to furnish  
ballots to be  
used at said  
primaries.

SEC. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

## CHAPTER 891.

### AN ACT IN RELATION TO THE HOLDING OF CAUCUSES IN THE TOWN OF NORTH SMITHFIELD.

Approved  
April 26, 1912.

*It is enacted by the General Assembly as follows:*

SECTION 1. In the town of North Smithfield the caucuses of all political parties shall be held in accordance with the provisions of this act, and such provisions shall apply only in said town. For the purposes of this act, a political party is hereby defined to be one which at the next preceding annual election of state officers cast for its candidate for governor at least two per cent. of all the votes cast in the state for that officer. Caucus and convention nominations shall be made only by political parties.

Political party  
defined.

Method of  
electing town  
committee, and  
powers and du-  
ties thereof.

SEC. 2. The qualified electors of each political party in said town shall annually, at the caucus held to elect delegates to the convention to nominate a candidate for governor, elect a town committee for such town. Each town committee shall, within ten days after its organization, file with the secretary of state a list of its officers and members. The general management of the affairs of each political party in such town shall be vested in its town committee, subject to the rules and regulations which the state committee of such political party shall make. Any vacancy occurring in any of the officers or in the membership of said town committee shall be filled by such committee. A statement thereof shall be filed as in the case of officers and members first chosen. Town committees shall hold office from the date of their election until the next annual election of such committees and thereafter until their successors have organized. Town committees may make regulations, not inconsistent with law, to determine membership in the party and to restrain those not entitled to vote at caucuses called by them from taking part therein, and such regulations shall be furnished to and shall govern the officers by this act charged with the duty of preparing caucus voting lists in the preparation of such lists, so far as they are not in conflict with the provisions of this act. Each town committee shall attend the caucuses of the party to which it belongs, to perform the duties herein imposed upon it.

Caucuses, how  
called.

SEC. 3. All caucuses shall be held in said town at the call of the town committee of the political party holding such caucuses. The call for such caucuses shall be issued not less than five days prior to the day on which they are to be held. It shall state the places where such caucuses are to be held, the hour of holding the same, the time during which the polls are to be open, the business to be transacted thereat and the uniform size of the ballots to be used in said caucus, and said call shall be posted, at least four days prior to the holding of said caucus, in six or more

public places in said town. No two political parties shall hold their caucuses on the same day.

SEC. 4. At least ten days previous to the date on which a political party desires to hold its caucus in said town the chairman of the town committee of such political party shall notify in writing, the town clerk of the date selected for such caucus, and the political party first making such selection and notification for a certain date shall be entitled to hold its caucus on that date, if such date is one on which caucus may be lawfully held. If such date is one previously so selected and notified by some other political party, or is one on which a caucus may not be lawfully held, such chairman shall be immediately notified, in writing, of the fact by the town clerk, and such chairman, shall select and make notification of another date. It shall be the duty of said town clerk, in and at the expense of said town of North Smithfield, to provide a polling place in said town for said caucus, and to notify in writing, such chairman as to the place so provided, at least seven days prior to the date of such caucuses.

Town clerk to be notified of date of caucus, and to furnish polling-places therefor.

SEC. 5. No caucus, except a caucus adjourned under the provisions of section fourteen of this act, shall be held within two days, exclusive of Sundays and legal holidays, of the last day for filing the certificate of the nominations of such caucus, nor shall any political party hold caucuses on successive days. All caucuses, excepting those caucuses necessary for a special election, shall be held after the second Thursday next after the first Monday in September of each year. All caucuses held to nominate candidates for town officers in said town, excepting those caucuses necessary for a special election, shall be held within twenty-five days of the Tuesday next after the first Monday in November in each year. Caucuses necessary for a special election shall be held not more than ten days before, nor within two days, exclusive of Sundays and legal holidays, of the

Caucuses, when to be held.

last day for filing the certificates of the nominations of such caucuses.

Caucus officers  
to be selected  
by town com-  
mittee.

SEC. 6. The town committee of each political party in said town shall, at least two days prior to the date of the caucus, appoint a caucus chairman and a caucus clerk for said town who shall be qualified electors of said town and members of such political party, and shall fill all vacancies which occur in such offices from any cause, except as hereinafter provided. The caucus chairman and caucus clerk so appointed shall hold office until the first day of January next succeeding their appointment and thereafter until their successors are appointed, and shall have the same powers and duties in the conduct of caucuses as are conferred by law upon wardens and ward clerks of elective meetings.

Duties of caucus  
officers.

SEC. 7. The caucus chairman appointed, as hereinbefore provided, shall call the caucus of his political party to order, and shall preside thereat. The caucus clerk shall check the voting list of the town at said caucus. In case a caucus chairman is absent at the time at which the caucus has been called or in case a caucus chairman becomes incapacitated during the holding of the caucus, the town committee, or a majority of the members thereof present at such caucus, shall appoint a qualified elector of such party residing in said town as caucus chairman for such caucus. If no member of the town committee is present, the clerk of the caucus in such town shall call the meeting to order, and the electors present shall elect some qualified person as caucus chairman of such caucus. In case the caucus clerk is absent at the time at which the caucus has been called, or in case the caucus clerk becomes incapacitated from performing his duties as such during the holding of the caucus, the town committee of said town, or such majority thereof, shall appoint some qualified elector of the town as such caucus clerk. If no member of the town committee is present, the caucus chairman shall appoint some qualified elector as aforesaid as

caucus clerk. All caucuses shall be called to order at seven o'clock P. M.; the polls shall be opened at or before seven-thirty P. M., and the ballot boxes shall be opened and the interior thereof exposed to the view of all present by the chairman before any ballots are cast. Any necessary business not finished at seven-thirty P. M. shall be postponed until after the polls are closed and the result of the balloting announced. The polls shall be kept open until nine-thirty P. M., and no longer. Except for the filling of vacancies in the office of caucus chairman and caucus clerk, as hereinbefore provided in this section, a ballot shall be required for the choice of all candidates for elective offices, for delegates to conventions, and for members of town committees, to be elected by such caucuses. All ballots shall be printed or written on white paper, of uniform size to be determined by the town committee of each political party in said town, and no tissue paper shall be used for any caucus ballot. The name of all candidates for which any elector shall vote at any caucus shall be written or printed upon one ballot.

Hours during which polls must remain open.

Form of caucus ballots.

SEC. 8. No person shall be entitled to vote or take part in the caucus of any political party who within fourteen calendar months has voted or taken part in the caucus of any other political party, or has signed nomination papers of a candidate or candidates for any elective officer, or has voted in any election for the candidate of any other political party or for candidates placed in nomination by nomination papers, or is debarred from so voting or taking part by the regulations of such party provided for in section two of this act. No person who has voted in the caucus of any political party shall be eligible to sign any nomination paper containing nominations of candidates within fourteen calendar months thereafter.

Who may participate in caucus.

SEC. 9. The town clerk of said town shall prepare the voting lists for use at all caucuses held in said town. At all caucuses the voting lists as last published or canvassed according to law

Town clerk to prepare voting lists.

by the board of canvassers of said town shall be used, corrected as hereinafter provided. The board of canvassers in said town shall hold a canvass meeting on the twenty-seventh day preceding the Tuesday next after the first Monday in November, in each year, and also on a day not more than five days prior to the earliest day lawfully selected by any political party for the holding of caucuses made necessary by a special election in such town, to canvass and correct the voting lists of electors qualified. Notice of said canvass meetings shall be given in such manner as such board of canvassers shall prescribe.

Same subject.

SEC. 10. In preparing caucus voting lists for the caucuses of any political party there shall be stricken from the lists specified in section nine of this act the names of all persons shown by the nomination papers, or copies thereof, and used caucus voting lists in the possession of the town clerk to be debarred from voting in such caucuses by the provisions of section eight of this act, or who are shown by the regulations of such political party to be not entitled to vote in its caucuses. Each such list shall be endorsed with the name of such political party, and shall be certified by such town clerk.

Ballot boxes and supplies.

SEC. 11. The town clerk is hereby authorized and required to furnish, at the expense of said town, suitable ballot boxes, blank forms of certificates and returns, and other election stationery, for each polling place at which any caucus is held, and to cause the voting lists prepared as aforesaid to be delivered at each such polling place to the caucus chairman, prior to the hour of seven o'clock in the evening of the day on which any such caucus is to be held; and it is hereby made the duty of the town sergeant of said town to detail such number of police constables, or constables to each such polling place, for the preservation of order, and to deliver the voting lists aforesaid, as may be requested by said town clerk.

Caucus chairman to receive ballots.

SEC. 12. The caucus chairman shall receive the ballots of all persons whose names are upon the lists certified and furnished to him, and shall reject the ballots of all other persons.

SEC. 13. Immediately on the closing of the polls the caucus chairman and clerk shall in open caucus proceed to count the ballots cast in the presence of such representatives as may be appointed in writing, one by each candidate voted for at said caucus; and each candidate receiving a plurality of the ballots cast for the office for which he was a candidate shall be declared by the caucus chairman to be elected or nominated, as the case may be. The ballots and voting lists shall then be forthwith separately sealed up, together with a statement of the result of the balloting substantially in form required by law in the case of elective meetings, and shall be forthwith delivered in person by the caucus clerk to the town clerk in said town.

Vote, how counted; plurality to elect.

Return of ballots and voting lists.

SEC. 14. In case at any caucus a majority of a delegation to any convention, or of any town committee are not elected, or in case of a tie vote for any candidate for an elective office, the caucus shall adjourn to such day as shall be designated at said caucus by the caucus chairman, but not to any day at which a caucus of any political party has been called. In case of a tie vote for a smaller number than a majority of the delegates to a convention, or of the members of a town committee, the elected members of the delegation or of the committee shall fill the vacancies so caused and make notification of their action to the person or officer entitled to receive the same. In all cases the delegates to a convention shall have power to fill vacancies in their number appearing at the hour of the meeting of such convention.

In case of tie vote, etc., what action to be taken.

SEC. 15. The chairman of every caucus shall, within twenty-four hours after said caucus is held, deliver or send to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a certificate of his nomination and shall also cause the certificate of nomination required by law in the case of all candidates who are nominated by such caucus for any elective office to be prepared and seasonably

Chairman to prepare certificates of election and nomination.

filed in the proper public office, unless proceedings for a recount of the ballots at such caucus are inaugurated conformably to the provisions of section sixteen of this act, in which case he shall not deliver, send, or cause to be filed any such certificates.

Verification of  
check-list by  
clerk.

Upon the check list used at such caucus the clerk checking such list shall make a return under oath that the said check list is the identical one used in the caucus of the political party for which it was furnished, and that the names checked were truly and properly checked at such caucus, and that no alteration or erasure or additional check has been made thereon.

Provisions for  
recount of bal-  
lots.

SEC. 16. If before five o'clock in the afternoon of the day succeeding the day on which any caucus is held under the provisions of this act a person who has received votes thereat for nomination or election to any elective office, delegation, or political committee shall serve upon the town clerk of said town a statement in writing that the records and returns made by the caucus officers, as aforesaid, are erroneous, and specifying wherein the same are erroneous, and claiming an election of nomination by said caucus for the petitioner, and petitioning for a recount of such ballots by the board of canvassers of said town, such town clerk shall retain all the ballots cast at such caucus until such claim is withdrawn or the contest for the nomination or election is fully determined as hereinafter provided. The town clerk upon whom such statement is served shall forthwith notify the members of the board of canvassers of his town of the filing of such petition, and it shall be the duty of said board of canvassers to forthwith convene, and to cause notice in writing to be served in such manner as said board of canvassers shall direct, upon all other candidates for the same office receiving votes at said caucus, at the expense of the petitioner, of the filing of such petitions for a recount, and shall appoint a time and place for the recount of said ballots within twenty-four hours, exclusive of Sundays and legal holidays, from the time of ordering such notice. At the time specified by said board

Notice of re-  
count.



of canvassers said town clerk shall transmit to such board all the ballots cast at such caucus and the voting list used thereat, and at the appointed time and place said board of canvassers shall proceed to recount said ballots and to hear and determine all questions raised for or against the counting of the same or of any thereof, and shall declare, as the result of such recount and determination, what persons, if any, were lawfully elected or nominated at such caucus. Such declaration shall stand as the true record and result of the vote cast at such caucus, and the proper officer shall cause the names of the persons so declared to be nominated for any elective office to be printed upon the official ballots, in accordance with a certificate of such recount and determination made and filed with him by said board, which certificate shall be deemed to be made and filed as of the day of holding such caucus. Said board shall also furnish to each delegate and member of a committee, so declared to be elected, a certificate of his election. Any candidate receiving votes at such caucus for such nomination or office may be present during such recount, either in person or by an agent duly appointed in writing.

Notice of recount, and hearing thereon.

Recount to be conclusive and official ballots to be prepared accordingly.

Candidate or his representative may be present at recount.

SEC. 17. The town clerk of said town shall retain under seal for the period of fourteen calendar months all of the voting lists returned to him under the provisions of this act: *Provided*, that such lists may be unsealed for use in the proceedings provided for in sections ten and sixteen of this act, after which they shall be immediately resealed, and that the said town clerk, after a check list has been used at a caucus of a political party held under the provisions of this act upon written application for a copy of the list as checked, signed by any qualified elector in the said town where such list was used, and upon payment or tender of the fees provided by law therefor, may unseal and open the wrapper containing such check list, and shall furnish to such applicant a certified copy of the list as checked, and shall then reseat the same.

Town clerk to retain under seal all used voting lists, for what period.

Lists may be unsealed, when.

## Penalties.

SEC. 18. Every public officer or officer of a political party who shall willfully violate any of the provisions of this act, or shall refuse, or willfully neglect and omit to perform, in the manner and within the time prescribed, any duty imposed upon him by this act, shall be fined not less than fifteen nor more than fifty dollars, or imprisoned in jail for a period not exceeding thirty days, or both. Every person at a caucus who, knowing that he is not entitled to vote, votes or attempts to vote, or votes or attempts to vote upon any other name than his own, or votes or attempts to vote more than once upon his own name, or deposits or attempts to deposit more than one ballot for any candidate for any elective office or delegate to any convention or member of any political committee at the same balloting, or at any caucus gives a false answer to the caucus clerk or the presiding officer of any caucus relative to his right to vote at such caucus, shall be punished by imprisonment in jail not exceeding thirty days. Whoever aids or abets a person not entitled to vote at a caucus in voting or attempting to vote under a name other than the voter's own name, or in voting twice upon the voter's own name, or aids or abets a person in depositing or attempting to deposit at a caucus more than one ballot as aforesaid at the same balloting, shall be punished by imprisonment in jail not exceeding thirty days. Whoever willfully alters, or willfully makes any change, erasure, or additional check upon the voting list used or to be used at a caucus, or, having custody or control of such voting list, shall suffer or permit any alteration, change erasure, or additional check to be made upon such voting list, shall be punished by imprisonment in jail not exceeding sixty days. Excepting otherwise herein provided, the penalties imposed by law upon election and other officers and voters who violate the provisions of acts regulating elective meetings are hereby imposed upon the same and like caucus and other officers and voters for the same and like violations of this act.

SEC. 19. It shall be the duty of every police or other peace officer or constable to arrest without warrant any person detected in the act of violating the provisions of this act.

Arrest without  
warrant.

SEC. 20. The secretary of state shall make and send to the town clerk of said town copies of all nomination papers filed with him which contain the names of electors of such town.

Secretary of  
state to fur-  
nish copies of  
certain nomina-  
tion papers.

SEC. 21. The town committees-elect in said town at the time of the passage of this act shall organize and serve in the same manner and with the same effect as if they had been elected under its provisions.

Town commit-  
tees elect, to  
serve.

SEC. 22. This act shall take effect on and after June 1st, A. D. 1912.



# INDEX.

|   | PAGE.   |
|---|---------|
| Acceptance by towns of provisions relative to elections by secret ballot . .  | 70-72   |
| Acts, certain, repealed . . . . .   | 191     |
| Adjourned or secondary elections . . . . .  | 69      |
| Amendment to the constitution, propositions of, and questions sub-<br>mitted to the electors of the State, relative to voting upon . .                            | 116     |
| Assembly, General, of the constitution and organization of . . . . .  | 128-178 |
| relative to the election of senators and representatives in . . . . .   | 108-111 |
| Article II of the constitution of the State, relative to the qualifications of<br>electors . . . . .  | 3-6     |
| V of the constitution of the State, relative to the house of repre-<br>sentatives . . . . .   | 6       |
| VI of the constitution of the State, relative to the senate . . . . .   | 7       |
| VIII of the constitution of the State, relative to elections . . . . .  | 8-11    |
| Ballot, elections by secret, acceptance by towns of provisions of chapter<br>relative to . . . . .  | 70-72   |
| secret, elections by . . . . .  | 45-72   |
| secret, penalties for violation of provisions relative to elections by .  | 67-69   |
| Ballots, delivery of, by secretary of state . . . . .   | 58      |
| Board, state returning, relative to and duties of, defined . . . . .  | 117-125 |
| Boards of canvassers and registration and of the registering, listing, and<br>returning list of voters, and the proof of their qualification to<br>vote . . . . . | 15-23   |
| of canvassers, provisions relative to . . . . .   | 18, 222 |
| Bristol, how divided into representative districts . . . . .  | 172     |
| relative to holding of caucuses in town of . . . . .  | 191-201 |
| Burrillville, how divided into representative districts . . . . .   | 173     |
| Calling and warning town meetings . . . . .   | 179-181 |
| Candidates, nomination of, in convention or caucus . . . . .  | 46      |
| nomination of by individual voters . . . . .  | 48      |
| Canvassers, boards of, provisions relative to . . . . .   | 18, 222 |
| boards of, and registration, and of the registering, listing, and return-<br>ing lists of voters and the proof of their qualification to vote .                   | 15-23   |
| Canvassing the rights and correcting the lists of voters . . . . .  | 24-30   |

|  | Page.      |
|--|------------|
| Caucus, or convention, nomination of candidates in.....  | 46         |
| supplies and voting places, Boards of Canvassers to furnish for<br>primary meetings.....   | 222        |
| Caucuses, of the holding of, in the cities of Providence, Newport and<br>Pawtucket.....  | 73-84, 201 |
| in the town of Bristol.....  | 191-201    |
| in the town of East Providence.....  | 202-212    |
| in the town of North Smithfield.....   | 223-233    |
| in the town of Tiverton.....   | 212-222    |
| Central Falls, how divided into representative districts.....  | 164-166    |
| Certificates of nomination and nomination papers.....  | 49-56      |
| Chapter 640 of the Public Laws, certain provisions of, relative to the<br>tenure of office of certain officers and the repeal of certain acts..... | 191        |
| Cities and towns, certain, how divided into representative districts.....  | 130-173    |
| number of representatives apportioned to each.....   | 128-130    |
| City, town, and State elections, relative to the use of voting-machines at..   | 85-106     |
| Compartments or voting-shelves, provisions relative to.....  | 62         |
| Conducting elections, manner of.....   | 33-45      |
| Congress of the United States, relative to the election of representatives in.....   | 111-113    |
| Constitution and organization of the general assembly.....   | 128-178    |
| of the state, article II of, relative to the qualifications of electors..  | 3-6        |
| article V of, relative to house of representatives.....  | 6          |
| article VI, relative to the senate.....  | 7          |
| article VIII of, relative to elections.....  | 8-11       |
| extracts from, relative to elections.....  | 3-11       |
| propositions of amendment of and questions submitted to the<br>electors of the state, relative to voting upon.....                                 | 116        |
| Convention or caucus, nomination of candidates in.....   | 46         |
| Correcting lists of and canvassing the rights of voters, provisions relative to..  | 24-30      |
| Cranston, how divided into representative districts.....   | 166-169    |
| Cumberland, how divided into representative districts.....   | 170        |
| Delivery of ballots by secretary of state.....   | 58         |
| Districts, representative, certain cities and towns, how divided into.....   | 130-173    |
| East Providence, how divided into representative districts.....  | 169        |
| relative to holding of caucuses in town of.....  | 202-212    |
| Election and qualification of town officers.....   | 186-190    |
| laws, certain provisions of Chapter 640 of the Public Laws, in<br>amendment of.....  | 191        |

|  | PAGE.   |
|--|---------|
| Election of electors of president and vice-president of the United States. . . . .   | 114-116 |
| of general officers . . . . .  | 106     |
| of representatives in the congress of the United States. . . . .   | 111-114 |
| of senators and representatives in the general assembly . . . . .  | 108-111 |
| Election, supervisors of . . . . .   | 59-62   |
| Elections, adjourned or secondary . . . . .  | 69      |
| article VIII of the constitution of the state relative to . . . . .  | 8-11    |
| by secret ballot . . . . .   | 45-72   |
| by secret ballot, acceptance by towns of provisions of Chapter 11,<br>relative to . . . . .  | 70-72   |
| by secret ballot, penalties for violation of provisions relative to . . . . .  | 67-69   |
| extracts from the constitution of the state, relative to . . . . .   | 3-11    |
| general provisions concerning . . . . .  | 125-128 |
| of the manner of conducting . . . . .  | 34-45   |
| state, city, and town, relative to the use of voting-machines at . . . . .   | 85-106  |
| town, acceptance by towns of provisions of Chapter 11, relative<br>to elections by secret ballot for . . . . .                             | 70-72   |
| Elective meetings, provisions relative to . . . . .  | 30-33   |
| Electors, article II, of the constitution of the state, relative to the qualifi-<br>cation of . . . . .                                    | 3-6     |
| of president and vice-president of the United States, relative to the<br>election of . . . . .   | 114-116 |
| Extracts from constitution of the state, relative to elections, etc. . . . .   | 3-11    |
| General assembly, of the constitution and organization of . . . . .  | 128-178 |
| relative to the election of senators and representatives in . . . . .  | 108-111 |
| officers, relative to the election of . . . . .  | 106     |
| provisions concerning elections . . . . .  | 125-128 |
| House of representatives, article V of the constitution of the state, relative<br>to . . . . .   | 6       |
| how constituted . . . . .  | 128     |
| Individual voters, nomination of candidates by . . . . .   | 48      |
| Information to voters . . . . .  | 58      |
| Laws, election, certain provisions of Chapter 640 of the Public Laws, in<br>amendment of . . . . .   | 191     |
| Public, certain provisions of Chapter 640 of, relative to tenure of<br>office of certain officers and the repeal of certain acts . . . . . | 191     |

|  | Page       |
|--|------------|
| Lincoln, how divided into representative districts .....   | 171        |
| Lists of voters, and canvassing the rights of voters, provisions relative to ..  | 24-30      |
| of the returning of, and proof of qualification to vote, etc. ....   | 15-23      |
| Machines, voting, relative to the use of, at state, city, and town elections ..  | 85-106     |
| Manner of conducting elections .....   | 34-45      |
| of voting .....  | 63-67      |
| Meetings, elective .....   | 30-33      |
| town, relative to the calling and warning of .....   | 179-181    |
| town, relative to the quorum, government and conduct of, and of<br>organization and government of ward meetings .....                | 181-186    |
| ward, relative to the organization and government of .....   | 181-186    |
| Newport, how divided into representative districts .....   | 157-160    |
| Providence and Pawtucket, cities of, of the holding of caucuses<br>in .....  | 73-84, 201 |
| Nomination, certificates of, and nomination papers .....   | 49-56      |
| of candidates by individual voters .....   | 48         |
| of candidates in convention or caucus .....  | 46         |
| North Smithfield, relative to the holding of caucuses in the town of ....  | 223-233    |
| Officers, certain, to continue to serve in office .....  | 191        |
| general, relative to the election of .....   | 106        |
| town, relative to the election and qualification of .....  | 186-190    |
| Organization and constitution of the general assembly .....  | 128-178    |
| and government of ward meetings .....  | 181-186    |
| Papers, nomination, and certificates of nomination .....   | 49-56      |
| Pawtucket, Newport and Providence, cities of, of the holding of caucuses<br>in .....   | 73-84, 201 |
| how divided into representative districts .....  | 146-152    |
| Penalties for violation of provisions relative to elections by secret ballot ..  | 67-69      |
| President and vice-president of the United States, relative to the election<br>of electors of .....                                  | 114-116    |
| Primary meetings, Boards of Canvassers, to furnish voting places and<br>supplies for .....   | 222        |
| Propositions of amendment to the constitution and questions submitted<br>to the electors of the state, relative to voting upon ..... | 116        |
| Providence, Newport and Pawtucket, cities of, of the holding of caucuses<br>in .....   | 73-84, 201 |
| how divided into representative districts .....  | 130-146    |



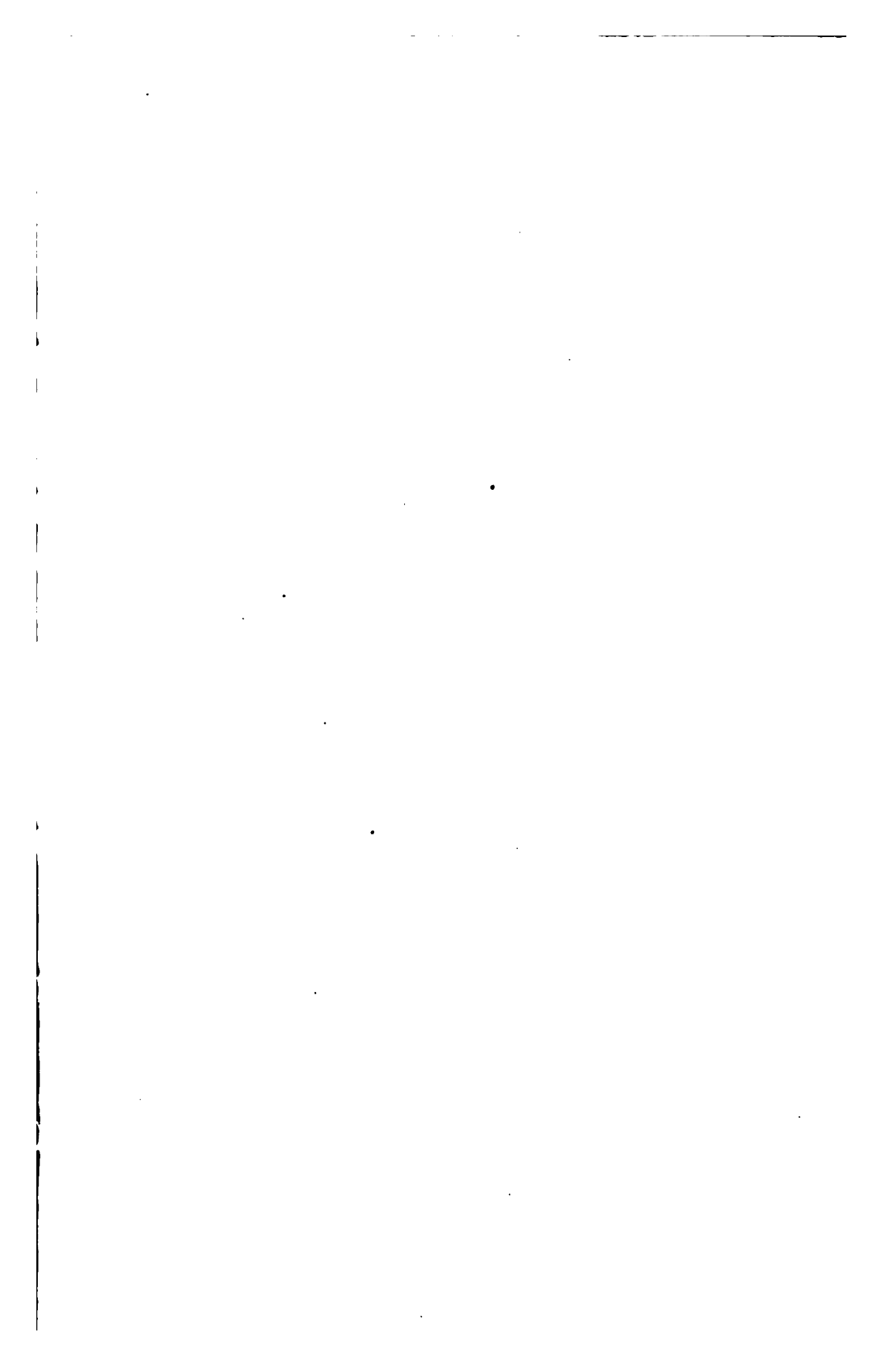
|  | PAGE.   |
|--|---------|
| Provisions, general, concerning elections.....   | 125-128 |
| Public Laws, Chapter 640, certain provisions of, relative to tenure of<br>office of certain officers and the repeal of certain acts.....                   | 191     |
| Qualification, after election, of town officers.....   | 186-190 |
| Qualifications and rights of voters.....   | 13-15   |
| of electors, article II of constitution of the state, relative to.....   | 3-6     |
| Questions submitted to the electors, etc., relative to voting upon by the<br>electors of the state.....  | 116     |
| Quorum, government and conduct of town meetings, etc.....  | 181-186 |
| Registration, boards of canvassers and, and of registering, listing, and<br>returning lists of voters and the proof of their qualification to<br>vote..... | 15-23   |
| of voters, provisions relative to.....   | 19-23   |
| Repeal of certain acts.....  | 191     |
| Representative districts, certain cities and towns, how divided into.....  | 130-173 |
| Representatives and senators in the general assembly, relative to the<br>election of.....  | 108-111 |
| house of, article V of the constitution of the state, relative to....  | 6       |
| house of, how constituted.....   | 128     |
| in the congress of the United States, relative to the election of....  | 111-113 |
| number of apportioned to each city and town.....   | 128     |
| Returning board, state, relative to, and duties defined.....   | 117-125 |
| Rights and qualifications of voters.....   | 13-15   |
| Secondary or adjourned elections.....  | 69      |
| Secret ballot, acceptance by towns of provisions of Chapter 11, relative<br>to elections by.....   | 70-72   |
| elections by.....  | 45-72   |
| penalties for violation of provisions relative to elections by.....  | 67-69   |
| Secretary of state, delivery of ballots by.....  | 58      |
| Senate, article VI of constitution of the state, relative to.....  | 7       |
| how constituted.....   | 128     |
| Senators and representatives in the general assembly, relative to the<br>election of.....  | 108-111 |
| Shelves, voting, or compartments, provisions relative to.....  | 62      |
| State, city and town elections, relative to the use of voting-machines at..  | 85-106  |
| returning board, relative to, and duties defined.....  | 117-125 |
| secretary of, delivery of ballots by.....  | 58      |
| Supervisors of election.....   | 59-62   |

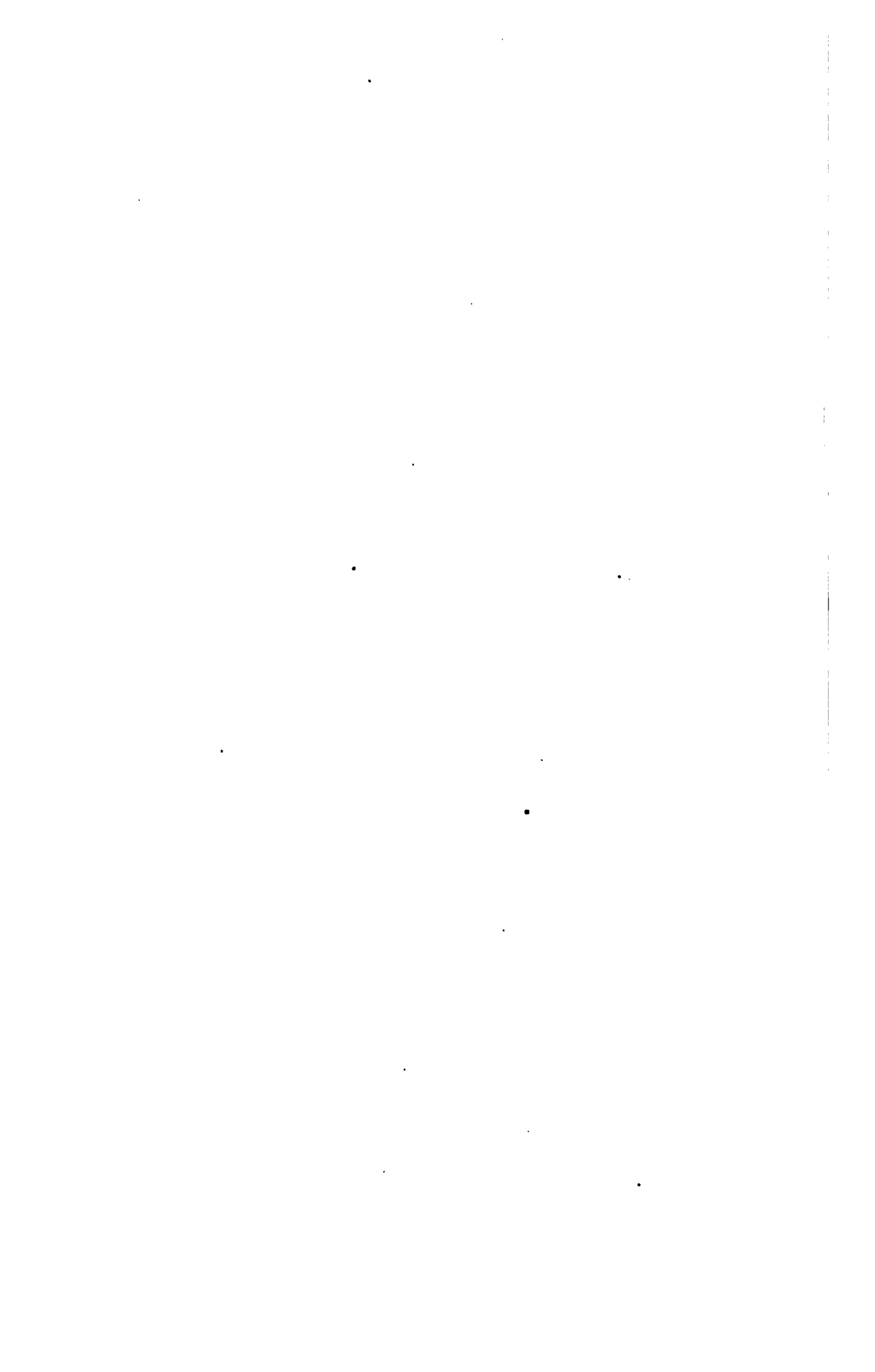
|   | PAGE.   |
|---|---------|
| Tiverton, relative to holding of caucuses in town of.....   | 212-222 |
| Town, city, and state elections, relative to the use of voting-machines at..  | 85-106  |
| meetings, relative to the calling and warning of.....   | 179-181 |
| meetings relative to the quorum, government and conduct of, and<br>of organization and government of ward meetings..... | 181-186 |
| officers, relative to the election and qualification of.....  | 186-190 |
| Towns, acceptance by, of provisions of Chapter 11, relative to elections<br>by secret ballot.....                       | 70-72   |
| and cities, certain, how divided into representative districts.....   | 130-173 |
| number of representatives apportioned to each.....  | 128-130 |
| United States, relative to the election of electors of president and vice-<br>president of.....                         | 114-116 |
| relative to the election of representatives in the congress of.....   | 111-114 |
| Vice-president of the United States, relative to the election of electors of,<br>and of president.....                  | 114-116 |
| Voters, canvassing the rights and correcting lists of.....  | 24-30   |
| information to.....   | 56-58   |
| nomination of candidates by individual.....   | 48      |
| of the registering, listing and returning lists of, and proof of their<br>qualification to vote, etc.....               | 15-23   |
| of the rights and qualifications of.....  | 13-15   |
| registration of, provisions relative to.....  | 19-23   |
| Voting-machines, relative to the use of, at state, city, and town elections. 85-106<br>manner of.....                   | 63-67   |
| places and supplies, boards of canvassers to furnish for primary<br>meetings.....                                       | 222     |
| shelves or compartments, provisions relative to.....  | 62      |
| upon propositions of amendment to the constitution, and upon<br>questions submitted to the electors of the state.....   | 116     |
| Ward meetings, relative to the organization and government of, etc. . .   | 181-186 |
| Warning and calling town meetings.....  | 179-181 |
| Warwick, how divided into representative districts.....   | 160-164 |
| Westerly, how divided into representative districts.....  | 171     |
| Woonsocket, how divided into representative districts.....  | 152-157 |

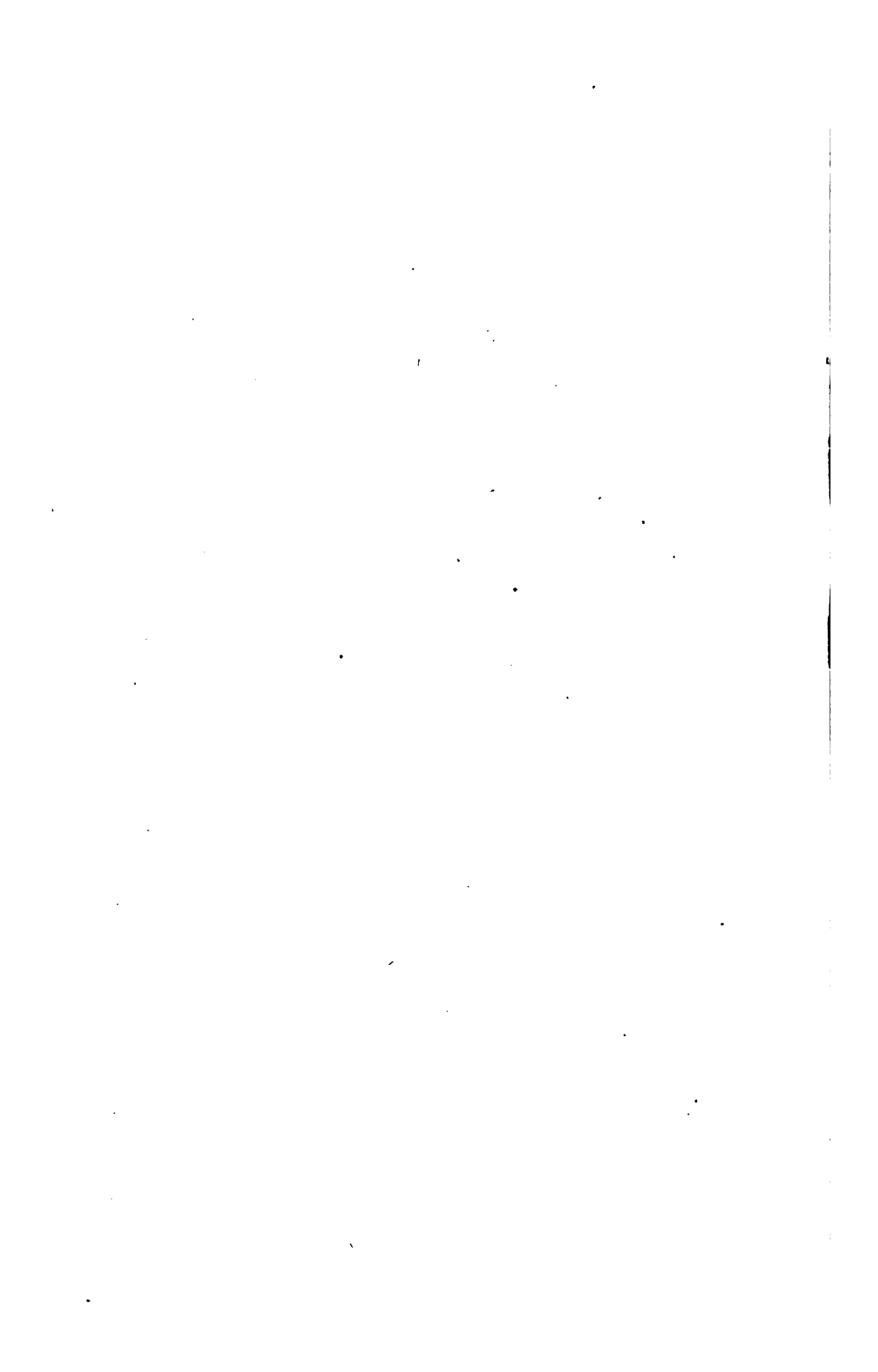
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